

Federation of Recorded Music Societies Ltd

A Company Limited by Guarantee

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Dear Colleague

As you are no doubt aware, the General Data Protection Regulation (GDPR) came into effect on 25th May. GDPR controls the way in which organisations such as the FRMS – and its affiliated societies – store and handle personal information. This letter is to advise you of the measures the FRMS is taking to comply with GDPR, and to make suggestions as to the steps individual societies may need to take in order to comply with GDPR.

With this letter you will find three enclosures. The first is a 4-page document consisting of:

- (i) a privacy statement relating to the information the FRMS holds about the contacts for its affiliated societies, and;
- (ii) a form for a society secretary to confirm understanding of the privacy statement and for additional members, if they so wish, to give consent to their details being held in addition to those of the secretary.

The second enclosure is a two-page document consisting of a suggested format for:

- (i) a privacy statement which a society can provide to its members, and;
- (ii) a consent form for members to allow a society to keep their details.

The third enclosure relates to the FRMS website and is a form on which you can indicate how much (or how little) personal information – to enable enquirers to contact you – you wish us to include.

I appreciate that this letter may arrive during your society's "close season" which could make it difficult to circulate privacy statements and consent forms to your members. Of course, you may already have taken steps to comply with GDPR, but if not you should do so as soon as is practicable.

The consent forms for society contacts, and for the website, to be sent to the FRMS, are quite separate from the measures you need to take in relation to your individual members. If possible these should be returned by 31st July so that any changes can

be noted before affiliation renewal notices, etc, are sent out. But if this is not possible just return them as soon as possible after that date.

In addition to information about GDPR there are two other matters which I need to draw to your attention. The first is a reminder that the next issue of the *Bulletin*, to be distributed in September, will be the last issue produced under the editorship of Paul Astell. Paul has edited the *Bulletin* since the Autumn edition of 2011 and feels that the time is ripe for a change. However, at the time of writing no-one has put their name forward as a possible successor. As a matter of urgency, then, if you know of anyone in your society who might be able to take on the rôle please would you approach them and, if they are willing at least to consider the possibility, ask them to contact Adele Wills, (The Leaze, Little Leaze Lane, Catcott, Somerset, TA7 9HJ Tel 07980 070198), secretary@thefrms.co.uk) or myself. It may well be that the time is also ripe for other changes to the *Bulletin* and anyone taking on the rôle would not necessarily have to maintain the current A4 glossy format but have the opportunity, in consultation with the Committee, to make changes.

I hope that the information about GDPR is clear, but if you want further guidance please feel free to contact me. Alternatively you can find information on the website of the Information Commissioner's Office at www.ico.org.uk

Meanwhile, may I send greetings and best wishes from the FRMS Committee to you and members of your society.

Yours sincerely

A handwritten signature in black ink that reads "Allan Child". The signature is written in a cursive style and is underlined with a single horizontal stroke.

Allan Child

FEDERATION OF RECORDED MUSIC SOCIETIES

GENERAL DATA PROTECTION REGULATION - PRIVACY STATEMENT FOR SOCIETY CONTACTS

Data we hold

We hold the name, address and, where applicable, the telephone number and e-mail address of the secretary of each affiliated society. This information is necessary in order for a society to remain affiliated to the FRMS. In this context the term 'secretary' is taken to mean one person to whom correspondence may be sent for this purpose.

At the request of a society we may additionally hold the same details for additional persons including, but not limited to, the treasurer, chairman and webmaster.

We hold and process data for the following purposes:

- (a) in order to maintain the affiliated status of societies by requesting payment of affiliation fees, performing right and phonographic performance licence fees, and insurance premiums for equipment and public liability cover;
- (b) in order to advise societies of the date of the annual general meeting, and to call for nominations for committee membership;
- (c) in order to provide societies with copies of the *Bulletin*;
- (d) in order to provide societies with general information about the FRMS and its activities, including any music days or weekends;
- (e) in order to maintain the FRMS website.

Note: Under GDPR an organisation is exempt from seeking individuals' consent to hold and process data under certain conditions as shown in the appendix to this document. In this context items (a) to (c) above are considered to meet the "legitimate interests" condition, but items (d) and (e) require individuals' consent.

How we hold data

Data is held electronically as data files on computers and/or storage devices (USB sticks backup devices, etc). The files and/or computers are password-protected and the passwords are known only to those FRMS officers or committee members needing to access the data.

Sharing of data

We share information, in the form of address labels, with the printers of the *Bulletin* in order for them to send the Bulletin direct to societies.

Data Controller

The Data Controller is the Federation of Recorded Music Societies Ltd.

Data Processor

The Data Processor is the Federation of Recorded Music Societies Ltd.

Appendix

What is Data Processing?

Processing is very widely defined and includes any activity that involves the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing can also include transferring personal data to third parties, listening to a recorded message (e.g. on voicemail) or viewing personal data on a screen or in a paper document which forms part of a structured filing system. Viewing of clear, moving or stills images of living individuals is also a processing activity.

What Processing is Legal?

Processing of personal data by an organisation is only lawful if at least one of these legal conditions, as listed in Article 6 of the GDPR, is met:

the processing is **necessary for a contract** with the data subject;

the processing is **necessary to comply with a legal obligation**;

the processing is necessary to protect someone's life (this is called "**vital interests**");

the processing is necessary in order to perform a task in the **public interest**, and the task has a clear basis in law;

the processing is **necessary for legitimate interests** pursued by the organisation or another organisation, unless these are overridden by the interests, rights and freedoms of the data subject.

If none of the above legal conditions apply, the processing will only be lawful if the data subject has given his/her clear **consent**.

Note also that there are some special categories of data identified in the GDPR, to which more stringent conditions apply. These relate to data about such things as health, lifestyle and political or religious affiliation which are not (and will not be) recorded by the FRMS.

FEDERATION OF RECORDED MUSIC SOCIETIES

CONSENT FORM FOR SOCIETY CONTACTS

Part A of this form is to be completed and signed by the Secretary or other person responsible for contact between the Society and the Federation. The information provided is necessary for the purposes of affiliation to the Federation, but consent is required for additional processing of data for purposes (d) and (e) as described in the Privacy statement.

Completion of Parts B, C and D is optional. These parts are for additional members of the Society to give their consent for the Federation to contact them directly rather than through the Secretary. An example might be where the Treasurer of a Society prefers to have all invoices sent to him/her.

PART A:

Name of Society

Secretary or other principal contact to whom all correspondence is to be sent unless requested otherwise:

Name

(If not the Secretary please state position held).....

Address

Postcode

Telephone*

E-mail*

I understand that this information is necessary for the purposes of affiliation to the Federation of Recorded Music Societies. In addition I give my consent for the information to be used by the Federation to contact me for other purposes in accordance with the privacy statement.

Signed.....Date

* Note: whilst it is not essential to provide telephone numbers and/or e-mail addresses we strongly recommend that if these are available they are provided as they will enable rapid communication and significant savings on postage costs. This applies also to any details provided in parts B, C and D.

Important: Before returning this form secretaries are asked to check if any other members of their society, such as the chairman, treasurer and webmaster are already in direct contact with the FRMS and, if so, to ask them to complete, as necessary, Parts B, C and D overleaf.

Please return this form to:

Adele Wills
Secretary, FRMS
The Leaze
Little Leaze Lane
Catcott
Somerset

TA7 9HJ

PART B:

Name

Position in Society (if applicable)

Address

..... Postcode

Telephone*

E-mail*

I give my consent for the information to be used by the Federation of Recorded Music Societies to contact me for purposes in accordance with the privacy statement.

Signed Date

PART C:

Name

Position in Society (if applicable)

Address

..... Postcode

Telephone*

E-mail*

I give my consent for the information to be used by the Federation of Recorded Music Societies to contact me for purposes in accordance with the privacy statement.

Signed Date

PART D:

Name

Position in Society (if applicable)

Address

..... Postcode

Telephone*

E-mail*

I give my consent for the information to be used by the Federation of Recorded Music Societies to contact me for purposes in accordance with the privacy statement.

Signed Date

..... Recorded Music Society

Data Protection Privacy Statement

..... Recorded Music Society, with the written consent of its members, keeps members' contact details, including name, address, e-mail address and telephone numbers for the purpose of informing members about meetings and other activities of the Society.

All current and new members will be asked to complete a consent form to enable the Society to keep the contact details for as long as the member wishes to be involved with the Society.

If a member resigns or has not attended a meeting for a period of six months¹ after the expiry of their membership, his/her details will be removed from the Society's records unless the member requests that they be retained.

The contact details of members are kept²:

on a computer or associated storage device³ which is password-protected, the password being known only to the secretary or other person responsible for keeping the records.

on paper in a file or notebook kept securely by the secretary or other person responsible for keeping the records.

All members have the right to have their details removed at their request, preferably in writing or by e-mail, and on receipt of such a request the secretary will remove the contact details in question from the records.

The records will be reviewed annually to ensure that they are in accordance with this statement.

Statement adopted by Recorded Music Society on [date]

1 Or other period as appropriate.

2 The two following paragraphs may be used as alternatives, or both may be used if societies wish to maintain records both electronically and on paper, e.g. for backup purposes.

3 Consideration should be given as to whether the file is kept on a computer itself or on a removable storage device.

..... **Recorded Music Society**

Consent forRMS to keep contact details

I give my consent for Recorded Music Society (.....RMS), to keep a record of my contact details, as shown below, for the purpose of informing me of meetings and other activities of the Society.

I understand that these details will be kept in a secure manner and will not be shared with third parties.

I understand that I may withdraw my consent forRMS to keep my details, and if I so requestRMS will remove the contact details from their records

Name

Address

..... Postcode

Phone (optional)

E-mail address (optional).....

Signed Date.....

