



TAOIST ARTS ORGANISATION DATA PROTECTION POLICY – MAY 2018

CONTENT

- 1. Background**
- 2. Scope and validity of this Policy**
- 3. Summary Policy Statement**
- 4. Introduction**
- 5. Data Protection and General Data Protection Regulation**
 - 1) Data Protection Act (DPA 1998)
 - 2) General Data Protection Regulation (GDPR 2018)
 - 3) Difference between the DPA 2018 and the GDPR?
- 6. Key Definitions**
 - 1) Who GDPR applies to
 - 2) Information GDPR applies to
 - 3) GDPR Principles
 - 4) Lawful basis for processing
 - 5) Conditions for processing
 - 6) Individual Rights
 - 7) Principle of Accountability
 - 8) Documentation
 - 9) Data Protection Impact Assessment (DPIA)
 - 10) Data Protection officer (DPO)
 - 11) Privacy Notices
 - 12) Fines for non-compliance
- 7. References**
- 8. Appendices: Appendix 1** TAO GDPR factsheet; **Appendix 2** A glossary of terms and definitions; **Appendix 3** Documentation; **Appendix 4** DPA 1998 principles; **Appendix 5** TAO TAO Privacy Policy; **Appendix 6** TAO Policy on the Storage of Disclosure Information; **Appendix 7** TAO Membership Form; **Appendix 8** TAO Instructor Health& Special Needs Questionnaire; **Appendix 9** TAO Instructor Checklist for GDPR &Data Protection Compliance

1. BACKGROUND

On 25th May 2018 a new data protection law comes into place in the UK and across Europe called the General Data Protection Regulation (GDPR). Together with the Data Protection Act 2018, it will replace the Data Protection Act 1998 in the UK. The Data Protection Act 1998 (DPA) was based on a European Directive from 1995 drafted before the widespread use of the internet and mobile technology transformed the way we process personal information. As digital technology profoundly changed the way data is collected, accessed and used, the current data regime under the DPA has become increasingly obsolete.

The GDPR places greater obligations on how organisations handle personal data and is intended to strengthen and unify data protection for all individuals within the EU. It applies to processing carried out by organisations operating within the EU. It also applies to organisations outside the EU that offer goods or services to individuals in the EU. It is aimed to improve privacy rights and control how personal data is used, with stricter rules around how personal data is used and tougher penalties for non-compliance.



2. SCOPE AND VALIDITY OF THIS POLICY

This policy will help ensure that person-identifiable information is processed, handled, transferred, disclosed and disposed of lawfully. Person-identifiable information should be handled in the most secure manner by authorised TAO members only, on a need to know basis.

The policy covers all person identifiable information whether personal or special category, electronic or paper which may relate to TAO members, contractors and third parties about whom we hold information.

Validity: This policy will be reviewed annually. Data protection standards will be subject to an ongoing development and review programme.

3. SUMMARY POLICY STATEMENT

This policy sets out the Taoist Arts Organisation's commitment to protecting personal data and how we implement that commitment with regards to the collection and use of personal data.

It sets out our responsibilities under the GDPR from 25th May 2018, which will replace the DPA 1998, and the rights of the individual including how they can gain access to their personal information. In this policy we aim to highlight the best ways to manage personal and confidential data securely and appropriately.

Protection and security of personal and/or confidential data is everyone's responsibility. Data and information include written, electronic and verbal information.

Throughout this policy and the supporting documentation the words 'data' and 'information' have been used interchangeably. The use of either does not preclude the meaning of the other and either word should be accepted as covering both concepts. The same applies where Taoist Arts Organisation (TAO), TAO Member or TAO Instructor are used unless otherwise stipulated.

Note that neither the TAO members, nor committee members, nor TAO Instructors, nor affiliated clubs are employees of the TAO and there are no contractual obligations between them and the TAO. All TAO Instructors teach independently and hold individual instructor insurances thus TAO has no responsibility or liability for the Instructors' management and processing of data they collect or process for their own purposes eg special category data of their students. The same applies for TAO clubs based in France and Germany who are governed by the laws of their respective countries and control their data independently of TAO UK.

All TAO members and Instructors are responsible for:

- Ensuring that they understand and comply with this Policy and related policies, procedures and guidance
- Contributing to the general information security environment.
- The appropriate use and processing of confidential data.
- Seeking guidance on any Information Governance issue they do not understand, in order to enable them to fulfil their role effectively.

Underpinning all this is the need for all information to be accurate, relevant, and available when required and processed appropriately. This is essential for TAO to carry-out its functions and fulfil its objectives as an organisation using modern technology without introducing unacceptable levels of risk.



4. INTRODUCTION

- 1) The TAO needs to collect person-identifiable information about individuals in order to carry out its functions and fulfil its objectives. Personal data is defined as 'information which relates to a living individual and from which they can be identified, either directly or indirectly'.
- 2) Personal data at TAO can include TAO members (present, past and prospective), contractors and third parties, whether in paper, electronic or other form.
- 3) Irrespective of how information is collected, recorded and processed person-identifiable information must be dealt with properly to ensure compliance with the General Data Protection Regulations (GDPR) from 25th May 2018, which will replace the Data Protection Act (DPA) 1998.
- 4) The GDPR (and DPA) requires companies and organisations and individuals to comply with the GDPR Principles and to notify the Information Commissioner about the data that we hold and how we process it.
- 5) The GDPR (and DPA) gives rights to data subjects (people that we hold information about) to access their own personal information, to have it corrected if wrong, in certain permitted circumstances to ask us to stop using it and to seek damages where we are using it improperly.
- 6) The GDPR has other new and additional changes as compared to the DPA which will be outlined below
- 7) The lawful and correct treatment of person-identifiable information by the TAO is paramount to the success of the organisation and to maintaining the confidence of its members. This policy will help the TAO ensure that all person-identifiable information is handled and processed lawfully and correctly.
- 8) The TAO has a legal obligation to comply with all relevant legislation in respect of data protection and information / IT security.
- 9) All legislation relevant to an individual's right to the confidentiality of their information and the ways in which that can be achieved and maintained are paramount to the TAO. Significant penalties can be imposed upon the organisation, or its data handling TAO members or TAO instructors, who may be data controllers in their own right, depending on the nature of the matter, for non-compliance.
- 10) The aim of this policy is to outline how the TAO meets its legal obligations in safeguarding confidentiality and adheres to information security standards. The obligations within this policy are principally based upon the requirements of the forthcoming GDPR, as the key legislative and regulatory provision from 25th May 2018 governing the security of person-identifiable information.
- 11) Relevant guidance to be read in conjunction with this policy, is outlined in the Appendices.

5. DATA PROTECTION ACT 1998 AND GENERAL DATA PROTECTION REGULATION 2018

Data Protection Act 1998 (DPA)

This Act provided a framework that governed the processing of information that identifies living individuals' personal data in Data Protection terms. Processing includes holding, obtaining, recording, using and disclosing of information and the Act applies to all forms of media, including paper and images. It applies to confidential patient information but is far wider in its scope, e.g. it also covers personnel records. The DPA imposed constraints on the processing of personal



information in relation to living individuals. The DPA 1998 Principles, for reference, are found in Appendix 4. The DPA is superseded on 25th May 2018 by GDPR (and Data Protection Act 2018).

General Data Protection Regulation 2018 (GDPR 2018) & Data Protection Act 2018

The GDPR comes into force across Europe, including the UK, from 25th May 2018. The Information GDPR applies to is 'personal data', which means any information relating to an identifiable living person who can be directly or indirectly identified in particular by reference to an identifier. The GDPR also applies to 'special category personal data' (formerly known as personal sensitive data under the DPA). You can find more detail in the key definitions below and on the ICO.org.uk. The Data Protection Act 2018 sets out the GDPR within UK law.

The GDPR principles will be similar to those in the Data Protection Act 1998, but there will also be a range of new definitions, requirements of data controllers and processors, regulatory powers, and rights of data subjects. The most significant addition to GDPR is the requirement for lawful processing, fairness, transparency and a new accountability requirement where organisations will be expected to show how they comply with the principles set out.

What is the difference between the DPA 2018 and the GDPR 2018?

The GDPR has direct effect across all EU member states and has already been passed. This means organisations will still have to comply with this regulation and we will still have to look to the GDPR for most legal obligations. However, the GDPR gives member states limited opportunities to make provisions for how it applies in their country. One element of the DPA 2018 is the details of these. It is therefore important the GDPR and the DPA 2018 are read side by side.

As of 24th May 2018, the new Data Protection Act 2018 was given Royal assent and published. The ICO released a statement that they are updating their documents and guidance "to reflect the final contents of the Act and will make it available as soon as possible."

At Taoist Arts Organisation we have started implementation of the new regulations. We have completed the ICO's 12 steps to take now checklist and will undertake the ICO a practical self-assessment tool.

6. KEY DEFINITIONS

1) WHO THE GDPR APPLIES TO

The GDPR applies to 'controllers' **and** 'processors'.

A **controller** determines the purposes and means of processing personal data.

- TAO, and its appointed data handlers, are data controllers for the purposes of processing TAO members' personal details
- The TAO Instructors are also independent data controllers to TAO for the purposes of processing their member students' personal details and medical information (ie special category personal data' (formerly known as personal sensitive data under the DPA) and next of kin details. Note that the TAO itself as an organisation does not process any special category personal data.

A **processor** is responsible for processing personal data on behalf of a controller.

- For the TAO, this would be anybody having access to and/ or handling the TAO database or membership details such as TAO Committee members.

If you are a processor, the GDPR places specific legal obligations on you; for example, you are required to maintain records of personal data and processing activities. You will have legal liability if you are responsible for a breach.



However, if you are a controller, you are not relieved of your obligations where a processor is involved – the GDPR places further obligations on you to ensure your contracts/ or agreements with processors comply with the GDPR. With respect to the TAO, TAO Instructors who process their students’ medical or other special category personal data do so independently of the TAO as they have no contractual obligation.

The GDPR applies to processing carried out by organisations operating within the EU. It also applies to organisations outside the EU that offer goods or services to individuals in the EU.

The GDPR does not apply to certain activities including processing covered by the Law Enforcement Directive, processing for national security purposes and processing carried out by individuals purely for personal/household activities.

2) INFORMATION THE GDPR APPLIES TO

- **Personal data**

The GDPR applies to ‘personal data’ meaning *any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier.*

This definition provides for a wide range of personal identifiers to constitute personal data, including name, identification number, location data or online identifier, reflecting changes in technology and the way organisations collect information about people.

The GDPR applies to both automated personal data and to manual filing systems where personal data are accessible according to specific criteria. This could include chronologically ordered sets of manual records containing personal data. Personal data that has been pseudonymised – eg key-coded – can fall within the scope of the GDPR depending on how difficult it is to attribute the pseudonym to a particular individual.

In order to lawfully process special category data, you must identify a lawful basis (under Article 6 GDPR). For the purposes of TAO this is based on consent for membership purposes.

- **Special Category Personal Data** (otherwise known as Sensitive personal data)

The GDPR refers to sensitive personal data as special categories of personal data (Article 9 GDPR). This kind of data could create more significant risks to a person’s fundamental rights and freedoms. For example, by putting them at risk of unlawful discrimination. As it is more sensitive, it needs more protection. TAO Instructors independently process special category data.

In order to lawfully process special category data, you ***must identify both a lawful basis under Article 6 and a separate condition for processing special category data under Article 9.*** A condition for processing is not required for non-special category personal data. These do not have to be linked.

There are ***ten conditions for processing special category data in the GDPR*** itself, but the Data Protection Bill (UK additions to GDPR) will introduce additional conditions and safeguards. You must determine your condition for processing special category data before you begin this processing under the GDPR, and you should *document it*.



The special categories specifically include genetic data, and biometric data where processed to uniquely identify an individual. Personal data relating to criminal convictions and offences are not included, but similar extra safeguards apply to its processing (Article 10)

Special category data are as follows:

- Race
- Ethnic origin
- Politics
- Religion
- Trade Union membership
- Genetics
- Biometrics (where used for ID purposes)
- Health
- Sex life
- Sexual orientation

3) **GDPR PRINCIPLES**

Under the GDPR, the data protection principles set out the main responsibilities for organisations and individuals (such as TAO instructors or committee members handling data).

Article 5 of the GDPR requires that personal data shall be:

1. Processed **lawfully, fairly and in a transparent manner** in relation to individuals ('lawfulness, fairness and transparency')
2. Collected for **specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes**; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes ('purpose limitation');
3. **Adequate, relevant and limited** to what is necessary in relation to the purposes for which they are processed ('**data minimisation**');
4. **Accurate and, where necessary, kept up to date**; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');
5. Kept in a form which permits identification of data subjects **for no longer than is necessary for the purposes for which the personal data are processed**; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals ('storage limitation');
6. Processed in a manner that ensures **appropriate security of the personal data**, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').



4) LAWFUL BASIS FOR PROCESSING DATA

You must have a valid lawful basis in order to process personal data. And to comply with the accountability principle in Article 5(2), you must be able to demonstrate that a lawful basis applies.

There are *six available lawful bases for processing*. No single basis is 'better' or more important than the others – which basis is most appropriate to use will depend on your purpose and relationship with the individual.

The Lawful basis for processing are as follows:

At least one of these must apply whenever you process personal data:

1. **Consent:** the individual has given clear consent for you to process their personal data for a specific purpose.
2. **Contract:** the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
3. **Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations).
4. **Vital interests:** the processing is necessary to protect someone's life.
5. **Public task:** the processing is necessary for you to perform a task in the public interest or for official functions, and the task or function has a clear basis in law.
6. **Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply if you are a public authority processing data to perform your official tasks.)

Most lawful basis require that processing is 'necessary'. If you can reasonably achieve the same purpose without the processing, you won't have a lawful basis.

You must determine your lawful basis before you begin processing, and you should document it.

Take care to get it right first time - you should not swap to a different lawful basis at a later date without good reason.

Your privacy notice and policy should include your lawful basis for processing as well as the purposes of the processing. If your purposes change, you may be able to continue processing under the original lawful basis if your new purpose is compatible with your initial purpose (unless your original lawful basis was consent).

If you are processing special category data you need to identify both a lawful basis for general processing and an additional condition for processing this type of data.

If you are processing criminal conviction data or data about offences you need to identify both a lawful basis for general processing and an additional condition for processing this type of data.



If no lawful basis applies to your processing, your processing will be unlawful and in breach of the first principle. **Individuals also have the right to erase personal data which has been processed unlawfully.**

The individual's right to be informed under Article 13 and 14 **requires you to provide people with information about your lawful basis for processing.** This means **you need to include these details in your privacy notice/ policy.** The lawful basis for your processing can also affect which rights are available to individuals. For example, some rights will not apply. **An individual always has the right to object to processing for the purposes of direct marketing,** whatever lawful basis applies. Further rights can be found at no. 6) below.

5) CONDITIONS FOR PROCESSING DATA

1. The data subject has given **explicit consent** to the processing of those personal data for one or more specified purposes
2. Processing is necessary for the **purposes of carrying out the obligations** and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law
3. Processing is necessary **to protect the vital interests** of the data subject or of another person where the data subject is physically or legally incapable of giving consent.
4. Processing is carried out in the course of its **legitimate activities** with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects.
5. Processing relates to personal data which are **manifestly made public by the data subject.**
6. Processing is necessary for the establishment, exercise or defence of **legal claims or whenever courts are acting in their judicial capacity**
7. Processing is necessary for reasons of **substantial public interest**
8. Processing is necessary for the purposes of **preventive or occupational medicine**, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services
9. Processing is necessary for reasons of **public interest in the area of public health**, e.g. Protecting against serious cross-border threats to health
10. Processing is necessary for **archiving purposes** in the public interest, scientific or historical research purposes or statistical purposes



6) INDIVIDUAL RIGHTS

The GDPR provides the following 8 rights for individuals:

1. The right to be informed

Individuals have the right to be informed about the collection and use of their personal data. This is a key transparency requirement under the GDPR.

2. The right of access

Individuals have the right to access their personal data. This is commonly referred to as subject access. Individuals can make a subject access request verbally or in writing. The TAO has one month to respond to a request and cannot charge a fee to deal with a request in most circumstances.

3. The right to rectification

The GDPR includes a right for individuals to have inaccurate personal data rectified, or completed if it is incomplete.

4. The right to erasure

The GDPR introduces a right for individuals to have personal data erased. The right to erasure is also known as 'the right to be forgotten'.

5. The right to restrict processing

Individuals have the right to request the restriction or suppression of their personal data. This is not an absolute right and only applies in certain circumstances

6. The right to data portability

The right to data portability allows individuals to obtain and reuse their personal data for their own purposes across different services.

7. The right to object

The GDPR gives individuals the right to object to the processing of their personal data in certain circumstances. Individuals have an absolute right to stop their data being used for direct marketing

8. Rights in relation to automated decision making and profiling.

The GDPR has provisions on: automated individual decision-making (making a decision solely by automated means without any human involvement); and profiling (automated processing of personal data to evaluate certain things about an individual). Profiling can be part of an automated decision-making process.

Further detail on Rights of individuals can be found at <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

	Right to erasure	Right to portability	Right to object
Consent			✗ but right to withdraw consent
Contract			✗
Legal obligation	✗	✗	✗
Vital interests		✗	✗
Public task	✗	✗	
Legitimate interests		✗	

x = No



7) THE PRINCIPLE OF ACCOUNTABILITY

Article 5(2) requires that:

“The controller shall be responsible for, and be able to demonstrate, compliance with the principles.”

In practice, the TAO, and/or its members including committee members and TAO instructors (depending on in which capacity the individual or organisation is acting as controller) will be required to implement a range of data protection measures to ensure compliance with the GDPR, and also demonstrate their compliance.

This requires the TAO, and it's Instructors when they act in the capacity as Data Controller for data they process and store, to adopt a proactive approach to data protection compliance, including the following:

- Publishing GDPR compliant privacy policy
- Undertaking data protection audits
- Reviewing policies

8) DOCUMENTATION

The GDPR contains explicit provisions about documenting your processing activities. Most organisations are required to maintain a record of their processing activities, covering areas such as processing purposes, data sharing and retention; called documentation.

Documenting processing activities is important, not only because it is itself a legal requirement, but also because it can support good data governance and help demonstrate compliance with other aspects of the GDPR.

The TAO may be required to make the records available to the ICO on request. Controllers and processors both have documentation obligations. For small and medium-sized organisations, documentation requirements are limited to certain types of processing activities. Information audits or data-mapping exercises can feed into the documentation of your processing activities.

Records must be kept in writing.

Most organisations will benefit from maintaining their records electronically. Records must be kept up to date and reflect your current processing activities. The ICO has produced some basic templates to help with documentation of processing activities (see Appendix 3)

9) DATA PROTECTION IMPACT ASSESSMENT (DPIA)

A DPIA is a mechanism for identifying, quantifying and mitigating data protection risks. It is undertaken to ensure appropriate controls are put in place when any new process, system or ways of working involving the use of high risk processing (such as processing “health data”) is introduced. A data protection impact assessment (DPIA) is ‘an assessment of the impact of the envisaged processing operations on the protection of personal data’. A DPIA is required for processing that is **likely to result in a high risk to individuals’ rights and freedoms.**



This includes some specified types of processing. The ICO has a screening checklist to help with this decision on doing a DPIA. It is also good practice to do a DPIA for any other major project which requires the processing of personal data.

Processing that is likely to result in a high risk includes (but is not limited to):

- Systematic and extensive processing activities, including profiling and where decisions that have legal effects, or similarly significant effects, on individuals
- Large scale processing of special categories of data or personal data relation to criminal convictions or offences
- Using new technologies (for example surveillance systems)

You must take into account the nature, scope, context and purposes of the processing when deciding whether or not it is likely to result in a high risk to individuals' rights and freedoms.

For the purposes of the TAO, as processing of personal data is unlikely to result in high risk to individuals, as of the date of this policy and agreed by the Technical Director, no DPIA is required.

10) DATA PROTECTION OFFICER (DPO)

Under the GDPR, you must appoint a DPO if:

- You are a public authority (except for courts acting in their judicial capacity)
- Your core activities require large scale, regular and systematic monitoring of individuals (for example, online behaviour tracking); or
- Your core activities consist of large scale processing of special categories of data or data relating to criminal convictions and offences.

This applies to both controllers and processors. An organization can choose to appoint a DPO even this is not required. If there is a voluntary decision to appoint a DPO, the same requirements of the position and tasks apply had the appointment been mandatory.

Regardless of whether the GDPR obliges one to appoint a DPO, an organisation must ensure it has sufficient staff and resources to discharge its obligations under the GDPR.

The DPO's role is to inform and advise their organisation(s) about all issues in relation to GDPR compliance including:

- Monitoring compliance with the Regulation
- Informing and advising the organisation of its obligations under the Regulations
- Providing advice on Privacy Impact Assessments (PIAs)
- Acting as a contact point with the Information Commissioner's Office (ICO)
- Raising awareness around data protection generally

The TAO does not fulfill any of the mandatory requirements to appoint a DPO and has chosen not to voluntarily appoint one as agreed with the Technical Director. In writing this GDPR Policy and disseminating it and raising awareness amongst committee members and Instructors, as well as in publishing the TAO's Privacy Policy, the TAO fulfills its obligations under the GDPR.



11) FINES FOR NON-COMPLIANCE

The Information Commissioner's Office will have the power to fine organisations up to 20 million Euros, or between 2-4% of turnover, for breaches of the GDPR. As stated via the Information Commissioner's Office, fines will be 'effective, proportionate and dissuasive'. This represents a steep change in terms of the scale of penalties imposed on organisations who fail to observe the GDPR principles.

12) PRIVACY NOTICES

Privacy Notices or Fair Processing Notices' (FPNs) set out the information we need to provide individuals under the GDPR to meet the 'lawfulness, fairness and transparency' principle. The format depends on whether the information is gained from consent or third parties, or a combination of the two, and whether there is automated profiling or decision making involved. FPNs must contain significantly more information than those under the DPA. **What information must be provided?** In order to be compliant, it's important that the information is presented, and written in plain English or an easily understandable language and avoid legalistic terminology or jargon.

- Information should be '...in a concise, transparent, intelligible, easily accessible form, using clear and plain language, in particular for any information addressed to a child...'
- Specific requirements for fair processing information i.e.:
 - The identity and contact details of the data controller or representative
 - Contact details of the data protection officer (if one is appointed)
 - The purposes of processing and the legal basis (articles 6 and 9)
 - Recipients or categories of recipients
 - Any intention to transfer data to a third country or international organisation, with information on adequacy and safeguards.
 - Retention periods or criteria
 - Existence of rights: access, rectification, erasure, restriction, to object, and portability
 - Existence of automated decision-making, logic, significance and consequences for the data subject.

The ICO has published a number of guides on privacy notices to ensure compliance with the new Regulation. These are available via the following routes: **Privacy notice checklist**

<https://ico.org.uk/for-organisations/guide-to-data-protection/privacy-notices-transparency-and-control/your-privacy-notice-checklist/>.

Privacy Notices in practice. <https://ico.org.uk/for-organisations/guide-to-data-protection/privacy-notices-transparency-and-control/privacy-notices-in-practice/>.

The TAO does not hold any 'big data'. We do not share or sell personal information. All personal information is obtained when a member joins the organisation and consent is sought explicitly from them regarding contacting them by telephone or email.

The TAO Privacy Policy is found at Appendix 5.

13) **REFERENCE:** <https://ico.org.uk/for-organisations/>



14) APPENDICES

APPENDIX 1 - TAO INSTRUCTOR GDPR FACTSHEET

1. What is the GDPR?

The General Data Protection Regulation is a new, European-wide law that replaces the Data Protection Act 1998 in the UK. It places greater obligations on how organisations handle personal data. It comes into effect on 25 May 2018.

2. What are the GDPR Principles?

The main principles are of:

- Lawfulness, fairness and transparency in processing
- Specified, explicit and legitimate purposes of processing ('legitimacy')
- Adequate, relevant and limited ('data minimisation')
- Accurate and kept up to date ('accuracy')
- Kept in person identifiable format for no longer than necessary ('storage limitation')
- Appropriate security of the personal data, ('integrity and confidentiality').

3. What is the basis on which I can process data?

Personal data – lawful basis

- Special Category data (personal sensitive data) – lawful basis and condition for processing
- Please read the TAO Data Protection Policy and Privacy Policy for further information on this and on individuals' rights.

4. How does the GDPR affect me?

The GDPR strengthens the controls that organisations (data controllers) are required to have in place over the processing of personal data for which there are legal responsibilities and liabilities. It also places legal responsibilities and liabilities on data processors.

Headline impacts are:

- Organisations obliged to demonstrate they comply with the new law (the concept of 'accountability').
- Significantly increased penalties possible for any breach of the Regulation – not just data breaches- up to 20million Euros or 4% of worldwide turnover (whichever is the greater).
- Legal requirement for security breach notification within 72 hours.
- Removal of charges for providing copies of records to individuals who request them.
- Requirement to keep records of data processing activities.
- Data protection issues must be addressed in all information processes.
- Specific requirements for lawfulness, transparency and fair processing.
- Tighter rules where consent is the basis for processing.
- New or enhanced individual rights, such as the right to be forgotten and the right to portability.
- Specific new obligations with other parties that you have data sharing agreements or data processing contracts with.
- Data Protection Impact Assessment (DPIA) required for high risk processing (which includes the large-scale processing of health-related personal data). This is not required for TAO.
- Appointment of Data Protection Officer (DPO) mandatory for all public authorities, not TAO.



5. How is TAO preparing for GDPR?

- GDPR means the TAO and every instructor will have a role in ensuring we are compliant with the new data protection regime.
- We are familiarising with the GDPR information and updates from the Information Commissioner's Office (ICO)
- We have produced a GDPR Policy to ensure compliance and key processes are in place.
- Future email shots for marketing or emailed newsletters will require specific opt-in
- As part of the TAO's plan to satisfy the **General Data Protection Regulation (GDPR)** which TAO needs to undertake a phased data inventory exercise to help us ensure compliance with GDPR eg what data we have, whose data we are using, why are we using it, how data is used lawfully and transparently by and for each and every business/ membership process at TAO.
- Large Public organisations (which TAO is not) are required to complete regular annual Assessment forms to demonstrate compliance and activity

6. What should you do to comply with GDPR?

- **All TAO Instructors/ Committee members or other nominated individuals** are advised to familiarise themselves with the TAO's GDPR Data Protection Policy noting that they are data controllers and processors with duties and responsibilities by law.
- You are advised to take this opportunity to **review the personal data** you hold such as on paper or electronic records, ensuring its accuracy and relevance and you legitimate right to process this.
- **All Instructors** are advised to check to see if personal data you hold is needed. If the personal data no longer has a valid purpose and can legitimately be deleted in a secure manner, you should do so, disposing it by secure and confidential means.
- **Personal data** held by TAO and/or Instructors a **lawful basis for processing** must be identified and documented.
- **All Instructors** hold health information of their students which is **Special Category Personal Data** (otherwise known as sensitive personal data). In order to process special category data, you must identify both a **lawful basis** under Article 6 and a separate **condition for processing** special category data under Article 9. This must be documented. There are ten conditions for processing special category data in the GDPR (see TAO GDPR policy)
- You must **determine your condition for processing special category data before** you begin this processing under the GDPR, and you should *document it*.
- Familiarise yourself with the TAO Privacy Policy (in Data Protection Policy Appendices) and consider building these measures into your own classes/ courses and how you manage personal and special category data that you collect and process about your students and keep within their rights (see GDPR Policy on Individual Rights)
- **All Instructors** must **issue the new TAO GDPR compliant membership form** to all your current and new student members as directed by the TAO Committee and Technical Director for GDPR compliance
- **All Instructors** should make their students aware of the TAO Privacy Policy which is available in the public domain of the TAO website www.taoistarts.org and the TAO Data Protection Policy which is in the member's area.



- **All Instructors** should **issue** the updated Health Information Questionnaire to all your students, for your own processing and use, which is compliant with GDPR.

APPENDIX 2 - GDPR - GLOSSARY OF TERMS AND DEFINITIONS

The GDPR replaces the previous data protection law and includes a number of revised definitions as well as introducing new concepts and terminology.

Binding Corporate Rules: a set of binding rules put in place to allow multinational companies and organisations to transfer personal data that they control from the EU to their affiliates outside the EU (but within the organisation).

Biometric data: personal data resulting from specific technical processing relating to the physical, physiological or behavioural characteristics of a natural person, which allow or confirm the unique identification of that natural person, such as facial images, etc.

Consent: any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

Data controller: is the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by the Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

Data processor: a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

Data subject: a natural person whose personal data is processed by a data controller or processor.

Genetic data: personal data relating to the inherited or acquired genetic characteristics of a natural person which give unique information about the physiology or the health of that natural person and which result, in particular, from an analysis of a biological sample from the natural person in question.

Personal data: any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Personal data breach: a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed.

Privacy impact assessment: a process designed to help organisations identify and mitigate privacy risks associated with proposed data processing activities. For further information, see the University's Privacy Impact Assessment guidance.



Principles: the fundamental principles imbedded within the GDPR which set out the main responsibilities for organisations.

Processing: any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Profiling: any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

Pseudonymisation: the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, as long as such additional information is kept separately, with technical and organisational measures in place to ensure that personal data are not attributed to an identified or identifiable natural person.

Restriction on processing: the marking of stored personal data with the aim of limiting their processing in the future.

Right of access: entitles the data subjects to have access to, and information about, the personal data being processed by the data controller.

Special categories of personal data: personal data revealing a data subjects racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership or the processing of genetic data, biometric data for the purposes of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

APPENDIX 3 - DOCUMENTATION: SEE BELOW FOR ICO GUIDANCE

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/accountability-and-governance/documentation/>

APPENDIX 4- DATA PROTECTION PRINCIPLES (DPA 1998)- FOR REFERENCE ONLY

Principle 1: personal information will be processed fairly and lawfully. *Fairly* means with the knowledge consent of the data subject, or otherwise in accordance with conditions defined under the DPA. *Lawfully* means in compliance with the DPA and with any other mandatory requirements.

Principle 2: personal information will be collected for clear and specific purposes and will not be reused in incompatible ways.

Principle 3: the collection and use of personal information will be limited to the minimum required. Information will be relevant and not excessive.

Principle 4: where personal information is in ongoing use it will be kept accurate and up to date, as far as reasonably possible.



Principle 5: personal information will be retained only for as long as it is needed and then confidentially destroyed. If information is kept for a long time or is archived permanently this will be for a valid reason for example information with archival value may need to be kept longer than the stipulated minimum retention period.

Principle 6: personal information will be used in accordance with the rights of information subjects. Their right of access to their own information and their legitimate expectations of privacy will be respected.

Principle 7: personal information will be kept securely. It will be protected against unauthorised access and against loss, damage and destruction.

Principle 8: personal information will only be transferred outside the UK with proper protection for the rights of information subjects or with their full consent, or as otherwise provided by the DPA.

APPENDIX 5 -



TAOIST ARTS ORGANISATION (TAO) PRIVACY POLICY - 24 MAY 2018

The Taoist Arts Organisation (TAO) is committed to protecting and respecting your privacy. We take your privacy very seriously and we ask that you read this Privacy Policy carefully as it contains important information on:

- The personal data we collect about you
- How we look after your personal data when you visit our website (regardless of where you visit from)
- With whom your personal data might be shared
- Your privacy rights and how the law protects you.

WHO WE ARE

The TAO is a Martial Arts Organisation whose main base is in the United Kingdom, with other affiliated clubs based in France and Germany. For more information about the TAO please visit <http://www.taoistarts.org>. The TAO is a not-for-profit organisation.

This Privacy Policy is issued on behalf of the Taoist Arts Organisation (TAO), so when we mention “TAO”, “we”, “us” or “our” in this Privacy Policy, we are referring to the organisation itself responsible for processing your personal data.

This Privacy Policy also makes reference to TAO Instructors/Members, some who may have data handling responsibilities of TAO data (eg Committee members/ designated individuals), but may also process their own data as independent Instructors (such as special category data of their students), for which, especially the latter, TAO as an organisation has no duties, responsibilities or data control. Similarly, all data collected and processed by TAO affiliated clubs in France and Germany is the sole responsibility of TAO Instructors in those countries who are the sole data controllers governed by their countries’ regulations for that data and not TAO UK.

PERSONAL DATA WHICH WE COLLECT



Personal data provided by you

We collect personal data about you when you:

- Become a member of the TAO
- Book on a course/ class at one of our venues
- Purchase or make payments for any of our courses/ classes
- Contact us through our website
- Apply for a committee role with us
- Sign up to receive our newsletter
- Complete any feedback
- Participate in competitions, classes or courses

The personal data collected in the above manner may include your:

- Full name
- Postal address
- Email address
- Telephone number
- Photograph or video
- Courses/ classes which you are interested in/book and/or attend

The lawful basis for the TAO collecting and processing your personal data is *consent*.

Personal data provided by 3rd parties

The TAO does not receive information about you from other sources, but the TAO branches based in other EU countries do at regular intervals send their member details to TAO UK which are included in the main TAO database and or access the database themselves directly to create new memberships.

Special categories of personal data

The TAO does not hold any special category personal data about you. TAO instructors do collect and process special category data (health information) about their students, with their consent (*lawful processing requirement*) under the condition of *vital interests (condition requirement)*. This health information and next of kin details are kept so that the instructors can ensure the safety of their students during class and in the event of an emergency and also hold an emergency contact for such circumstances. Instructors collect such data with the student's explicit consent. Instructors operate independently in their data controller duties for processing such special category data and the TAO will not be liable for any data breach thereto on the part of the instructor.

The TAO does not request for any special categories of personal data to be disclosed to us as part of your TAO membership application.

Personal data about other individuals

If you give us information on behalf of someone else, you confirm that the other person has appointed you to act on his/her behalf and has agreed that you can:

- Give consent on his/her behalf to the processing of his/her personal data
- Receive on his/her behalf any data protection notices
- Give consent to transfer his/her personal data outside the European Economic area
- Give consent to the processing of their special category personal data (further details relating to special category personal data is detailed below).



HOW WE USE YOUR PERSONAL DATA

Overview

We collect information about you so that we can:

- Identify you and manage your membership and insurance
- Manage your course bookings and ensure that we can provide you with a personalised experience
- Process any orders for classes/courses you make with us
- Assist you with your queries in relation to our organisation and classes/courses
- Review and process any of your competition entries / results
- Conduct statistical member analysis as required
- Notify you of any changes to our website or to our services that may affect you
- Improve our services
- Where relevant place information about you on our website (eg about competitions) or multimedia such as newsletters (eg photos/articles), training manuals and training archive (e.g photos/videos)

The TAO does not perform any member profiling or analysis of preferences

Marketing

We would like to send you information by email about our products and services, competitions, courses, classes, noticeboard and newsletter publications and special offers which may be of interest to you.

We will only send you marketing messages when you click to subscribe on our website or tick the relevant consent box when you provide us with your personal data. If you have consented to receive such marketing from us, you can opt out at any time by using the unsubscribe function on each of our emails or by contacting us directly through the “Contact Us” section of our website.

WHEN WE MIGHT SHARE YOUR PERSONAL DATA WITH THIRD PARTIES

As an essential part of being able to provide our TAO membership services to you, your data is held on the TAO database based in the UK which is accessible by nominated TAO Instructors within the UK, France and Germany.

For UK members, The TAO needs to send your personal data to the British Council for Chinese Martial Arts (BCCMA) so that they can provide you with your BCCMA licence and training insurance (required for full TAO members only). For information on how BCCMA will use your data, please contact them and/or read their Privacy Policy via their website <https://bccma.com>.

Your data is also shared with service providers that help us to run our Organisation such as website hosting providers and website developers.

We do not and will not otherwise sell or give any of your personal data to any third party – including your name, address, email address or payment information. We want to earn and maintain your trust, and we believe this is essential in order do that.



There may be situations where by law and statute we may have to share your information with law enforcement agencies in connection with any investigation to help prevent unlawful activity.

HOW WE ASK FOR CONSENT

In those cases where we need your consent to hold and process your personal data, we will ask you to check a box and/or sign a form requiring consent (except when subscribing to our newsletter via our website, when we will advise you how to subscribe). By checking these boxes/ signing forms you are confirming that you have been informed as to why we are collecting the information, how this information will be used, for how long the information will be kept, who else will have access to this information and what are your rights as a data subject (all of which is set out in this Privacy Policy). The TAO will hold your data for the options you provide consent to.

HOW WE KEEP YOUR DATA SECURE

To protect your information we have policies and procedures in place to make sure that only authorised personnel can access the information, that information is handled and stored in a secure and sensible manner, and all systems that can access the information have the necessary security measures in place.

All TAO instructors/members with access to the database and/or your personal data (e.g. course organisers) receive the necessary GDPR awareness training and resources, through provision of our Data Protection Policy (which includes helpful factsheets and appendices), this Privacy Policy, and/or meetings to ensure they understand their responsibilities and legal obligations in relation to all of our policies and procedures and current legislation.

In addition to these operational measures we also use a range of technologies and security systems to reinforce the policies and procedures, including ensuring that:

- Access to personal data is strictly restricted to those TAO instructors/members who need to access this information as part of their role
- We store your personal data on secure servers and unauthorised external access to personal data is prevented through the use of a firewall
- Where required any communications about TAO members is treated confidentially and may be anonymised (so that it does not identify you)
- We store your personal data on secure servers
- To make sure that these measures are suitable, we run vulnerability tests regularly
- Audits to identify areas of weakness and non-compliance are scheduled from time to time as required.

HOW LONG DO WE KEEP YOUR PERSONAL DATA

We shall only retain your information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. As a general rule, membership details are kept on the database for the duration of TAO membership and for 2 years following overdue renewal, following which these are securely and permanently deleted (electronic and paper records). If you would like more information about how long we retain specific



types of your information, please contact us on the contact details provided later in this Privacy Policy.

TRANSFERS OF YOUR PERSONAL DATA OUT OF THE EEA

All information you provide via our website is stored on our secure servers within the European Economic Area (“EEA”). If, in future, any data that we collect from you is transferred to, or stored at, a destination outside the EEA at any time, we will update this Privacy Policy accordingly. When you link to a social media site via our website, any personal data which you provide them may be transferred or stored outside the EEA. Please check their websites’ privacy notice and policy carefully.

YOUR RIGHTS

The right to access information we hold about you

At any point you can contact us to request the information we hold about you as well as why we have that information, who has access to the information and where we got the information. Once we have received your request we will respond within 30 days.

The right to correct and update the information we hold about you

If the information we hold about you is out of date, incomplete or incorrect, you can inform us and we will ensure that it is updated.

The right to have your information erased

If you feel that we should no longer be using your information or that we are illegally using your information, you can request that we erase the information we hold. When we receive your request, we will confirm whether the information has been deleted or tell you the reason why it cannot be deleted.

The right to object to processing of your information

You have the right to request that we stop processing your information. Upon receiving the request, we will contact you to tell you if we are able to comply or if we have legitimate grounds to continue. If data is no longer processed, we may continue to hold your information to comply with your other rights.

The right to ask us to stop contacting you with direct marketing

You have the right to request that we stop contacting you with direct marketing.

The right to data portability

You have the right to request that we transfer your information to another controller. Once we have received your request, we will comply where it is feasible to do so.

The TAO does not conduct any automated decision making and/ or profiling.

For your security we may need to verify your identity before we process your instructions above.

COOKIES AND TRACKING

Use of cookies

A cookie is a small text file which is placed onto your device when you access our website. We use cookies on our website to Make your online experience more efficient and enjoyable.



In most cases we will need your consent in order to use cookies on our website. The exception is where the cookie is essential in order for us to provide you with a product or service you have requested.

Consent to cookies

If you visit our website when your browser is set to accept cookies, we will interpret this as an indication that you consent to our use of cookies and other similar technologies as described in this Privacy Notice and Policy. If you change your mind in the future about letting us use cookies, you can modify the settings of your browser to reject cookies or disable cookies completely.

Turning off cookies

If you do not want to accept cookies, you can change your browser settings so that cookies are not accepted. If you do this, please be aware that you may lose some of the functionality of this website. For further information about cookies and how to disable them please go to the Information Commissioner's webpage on cookies: <https://ico.org.uk/for-the-public/online/cookies/>.

TAKE CARE WHEN LINKING TO OUR SOCIAL MEDIA SITES

Our website provides links to our social media sites. Once on any of these social media sites, please take care if you choose to post any information as this will be on a public domain and may be widely accessible. If you would like more information about how any information posted on these sites will be used, please the sites' privacy notice and policy carefully.

CONTACTING US

If you have any queries about this Privacy Notice and Policy, need further information about how the Taoist Arts Organisation uses your personal data or wish to lodge a complaint, please contact us by any of the following means:

- Email us at: taoistartsorg@hotmail.com
- Contact us using our "Contact us" page on the website.

You also have the right to lodge a complaint with the Information Commissioner's Office directly. Further information, including contact details, is available at <https://ico.org.uk>.

CHANGES TO THIS PRIVACY POLICY

We may change this Privacy Policy Notice from time to time. You should check this Privacy Policy Notice occasionally to ensure that you are aware of the most recent version that will apply each time you access our website or manage your TAO membership.

Where we have made any changes to this Privacy Policy which affects the manner in which we use your personal data, we will contact you by email where possible to inform you of this change.

This Privacy Policy Notice was last updated on 24 May 2018 on behalf of the Taoist Arts Organisation.

Reference: <https://ico.org.uk/for-organisations/>



APPENDIX 6 - TAO POLICY ON THE STORAGE OF DISCLOSURE INFORMATION (Policy Date 2005)

The Taoist Arts Organisation (TAO) is committed to the welfare and protection of children and vulnerable adults. We take our responsibilities towards the welfare of children and vulnerable adults very seriously and are required to demonstrate that we do so.

From January 2005 the TAO began the process of carrying out Criminal Records Bureau (CRB) Enhanced Disclosures on anyone holding a teaching position within the TAO. Any person applying for a position within the TAO of Instructor/Coach, Assistant Instructor/Coach or Volunteer Helper will have to undergo CRB Disclosure prior to their award being confirmed. [The process currently nationally is now known as the Disclosure and Barring Service(2018)]

Child protection in relation to sport remains the subject of consideration by the authorities and agencies and, in the interests of best practice, we will continue to take appropriate advice and to adjust our procedures when necessary in order to maintain our high standards of care.

As an organisation using the CRB Disclosure service to help assess the suitability of applicants for teaching positions, the TAO complies fully with the CRB Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage retention and disposal of Disclosure information.

Storage & Access

Disclosure information is kept separately and securely, in a lockable, non-portable storage container with access strictly controlled and limited to those who are entitled to see it as part of their position.

Handling

In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their position. We maintain a record of all those to whom Disclosure or Disclosure information has been revealed and we recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Retention

Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is absolutely necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six months, we will consult with CRB about this and will give full consideration to the Data Protection and Human Rights individual subject before doing so. Throughout this time, the usual conditions regarding safe storage and strictly controlled access will prevail.

Disposal

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately suitably destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (e.g. waste



bin or confidential waste sack). We will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure. However, notwithstanding the above, we may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of any decision taken.

APPENDIX 7 –

TAO GDPR COMPLIANT MEMBERSHIP APPLICATION FORM

Page 1

APPLICATION FOR TAO MEMBERSHIP

*Under its constitution the Organisation may, in certain circumstances, refuse membership or revoke membership.
(See constitution for details.)*

I wish to join the Taoist Arts Organisation (TAO). I have read the information sheet “Membership of the TAO” (page 3 of this form) and have made an informed choice as to the type of membership that suits me best. I accept the obligations to abide by the rules of the Organisation, ensure that I am insured before participating in classes and not to teach without the proper authorisation and qualification.

Please choose one of the membership options below and complete the application form below in BLOCK CAPITALS.

EITHER: I enclose payment of £ in respect of my **Full Membership** fee and **BCCMA licence**.

OR: I enclose payment of £ in respect of my **Associate Membership** fee.

DATE : SIGNATURE :

I have parental responsibility for the Applicant who is under 16 years of age. I give my consent to their participation in classes and permission for the Instructor to act in loco parentis in the event of an emergency.

SIGNATURE OF PARENT / GUARDIAN:

Please write your name clearly
on the back of two passport size photographs and attach them
by paperclip
to this form

SURNAME:

FORENAMES:

DATE OF BIRTH:

ADDRESS:

.....

.....

POSTCODE :

TELEPHONE NO : MOBILE NO:

EMAIL ADDRESS:

CLUB:

INSTRUCTOR’S NAME..... INSTRUCTOR’S SIGNATURE:



Please tick if you require the Beginners Guide for an additional £6 []

PLEASE READ IMPORTANT INFORMATION ON NEXT PAGE ON DATA PROTECTION, YOUR PRIVACY AND INDICATE YOU CONSENTS FOR DATA PROCESSING

Page 2

TAO MEMBERSHIP FORM DATA PROTECTION INFORMATION, PRIVACY NOTICE AND CONSENTS

PRIVACY NOTICE: The TAO takes the protection and privacy of data that we hold about you as a member seriously and will do everything possible to ensure that data is collected, stored, processed, maintained, cleansed and retained in accordance with current and future UK data protection legislation. The TAO will only use your personal data for club administration purposes and for communicating with you about your membership and related matters. We will never share or sell your data without your prior permission. Your personal data is processed under the lawful basis of consent.

This form should be read by you alongside the **TAO's Data Protection Policy found in the members' area on our website www.taoistarts.org** and the **TAO Privacy Policy** publicly accessible on our website.

Your data will be stored and processed in accordance with these Policies.

PLEASE READ AND TICK THE BOXES BELOW TO INDICATE WHAT YOU CONSENT TO:

1. The TAO has a membership database which includes member's name, email addresses, phone/ mobile number, addresses, and will be available to designated TAO Instructor-members, in either electronic or paper versions, for the purpose of managing your membership and insurance cover.

I consent to my data being processed and shared in this way: Yes [] No []

2. The TAO needs to send your information on this form to the British Council for Chinese Martial Arts (BCCMA) so they can provide you with your BCCMA licence and training insurance (applies to full TAO members only). *For information on how BCCMA will use your data, please read their Privacy Policy* available via their website <https://bccma.com>

I consent to the personal information on this form being sent to the BCCMA to process and store my data and issue my BCCMA licence as training insurance: Yes [] No []

3. The TAO may from time to time need to contact you by email or by telephone to communicate information to you personally or for direct marketing.

I consent to the TAO contacting me by:

- Email for *personal communications*: Yes [] No []
- Telephone for *personal communications*: Yes [] No []
- Email for *direct marketing (eg newsletters/ notices)*: Yes [] No []

4. The TAO may arrange for photographs or videos to be taken of TAO activities and competitions which may be published on our website, other media such as newsletters or manuals, our social media sites, or stored on the archive to promote the TAO and for training purposes.

I consent to my image/ video being used by the TAO in this way: Yes [] No []



You can withdraw any of these consents in writing to the TAO Secretary at taoistartsorg@hotmail.com. This will be subject to processing as per individual rights as set-out in the GDPR/ Data Protection Act 2018. Please be aware that if you later decide to withdraw consent to your contact details being stored and processed on the database or you withdraw consent for us to obtain your insurance via the BCCMA this may impact on your membership of the TAO.

Member's Name..... **Member's**

Signature..... **Date**.....

If you have any queries, questions or comments on the information contained in this form, kindly contact the TAO secretary on taoistartsorg@hotmail.com

Page 3

MEMBERSHIP OF THE TAOIST ARTS ORGANISATION (TAO)

There are 2 types of membership of the TAO: Full and Associate.

	Full Membership	Associate Membership
Annual Cost	£45*	£35*
Benefits	Entitlement to attend TAO classes and courses and practice the Li Family Arts	Entitlement to attend TAO classes and courses and practice the Li Family Arts
	Entitlement to regular grading	Entitlement to regular grading
	Right to participate in the running of the organisation and vote at the AGM if over 16 years old	No voting rights.
	The best discounts for classes and weekend or residential courses	Less generous discounts on classes and weekend or residential courses
	Licence from the governing body, the British Council for Chinese Martial Arts, to practice all forms of Chinese Martial Arts.	No licence from the governing body. If the government makes membership of the governing body compulsory you will have to pay the additional fee for a BCCMA licence.
	Free personal accident insurance for participation in TAO classes and other martial arts activities.	No insurance. Associate membership is suitable for those who wish to arrange their own accident insurance for participation in Category 3 Sports. This will have to meet certain minimum standards. Please ask Instructor for details
	TAO newsletter	TAO newsletter
Obligations	To abide by the rules of the Organisation as set out in the Constitution	To abide by the rules of the Organisation as set out in the Constitution
	Not to teach any part of the system without the appropriate qualification and approval of the Technical Director	Not to teach any part of the system without the appropriate qualification and approval of the Technical Director
	To renew your membership in good time so that your insurance does not lapse, or, if it does lapse, not to participate in classes while uninsured.	To provide written confirmation that your insurance arrangements are in place, not to let them lapse, or if they do, not to participate in classes while uninsured.

* There are concessions available for those under 18 or over 65, members of the NUS, unwaged and recipients of disability related or means tested benefits upon proof of status.

THIS SHEET SHOULD BE RETAINED BY THE APPLICANT FOR INFORMATION. If you have any queries, questions or comments on the information contained in this form, kindly contact the TAO secretary on taoistartsorg@hotmail.com



APPENDIX 8-

TAO STUDENT HEALTH QUESTIONNAIRE

Taoist Arts Organisation Instructor

MEDICAL & SPECIAL NEEDS QUESTIONNAIRE

The information/data you provide on this Medical & Special Needs Questionnaire is for the sole purpose and use of your Instructor who stores and processes your information. Your information will be treated with the strictest confidence by your Instructor, and is used only to ensure that you receive the best possible advice throughout your training and in case of an emergency. Your information is not routinely shared by your instructor with, nor processed by, the Taoist Arts Organisation (TAO) and the TAO holds no record of your health and special needs information.

- PLEASE COMPLETE IN CAPITAL LETTERS -

First name: _____ Surname: _____

Address: _____

Date of Birth: _____ Email address: _____

Tel. No (home): _____ Tel. No (mobile): _____

Occupation: _____ Membership No: _____

DO YOU, OR HAVE YOU EVER SUFFERED FROM:		COMMENTS:
ASTHMA	YES / NO	
ANY HEART DISEASE	YES / NO	
DIABETES	YES / NO	
EPILEPSY	YES / NO	
HIGH BLOOD PRESSURE	YES / NO	
MIGRAINE	YES / NO	
CIRCULATORY PROBLEMS	YES / NO	
ALLERGIES	YES / NO	
SKIN INFECTIONS	YES / NO	

HAVE YOU RECENTLY HAD:		COMMENTS
BONE FRACTURE	YES / NO	
JOINT DISLOCATION	YES / NO	
SURGERY	YES / NO	
TORN MUSCLES	YES / NO	
SPRAINS OR STRAINS	YES / NO	

DO YOU CURRENTLY SUFFER FROM:		COMMENTS
BACK OR NECK PAIN	YES / NO	
PAIN IN ANY JOINT	YES / NO	
RHEUMATISM / ARTHRITIS	YES / NO	

ARE YOU TAKING ANY MEDICATION AT PRESENT	YES / NO	COMMENTS
HAVE YOU EVER TAKEN STEROIDS	YES / NO	
HAVE YOU EVER TAKEN ANTICOAGULANTS	YES / NO	

CONTACT LENSES	YES / NO	HEARING AID	YES / NO
-----------------------	-----------------	--------------------	-----------------

Do you suffer from any other condition that your Instructor should know about ?

Please continue overleaf ...



Please tell us of any special needs that you have: e.g. asthma inhaler kept in training bag, walking aids

Next of kin details (in case of an emergency):

Name:

Tel. No:

PRIVACY NOTICE: I [Instructor Name].....take the protection and privacy of data that I hold about you as a member seriously and will do everything possible to ensure that data is collected, stored, processed, maintained, cleansed and retained in accordance with current and future UK data protection legislation. I will only use your personal and special category data (ie health and special needs information) for club administration purposes, for communicating with you about your membership and related matters, and to ensure your safety during my classes or TAO courses that you attend. I will never share or sell your data without your prior permission. Your special category data is processed under the lawful basis of consent, with the condition of processing being vital interests. Your personal data is processed under the lawful basis of consent.

Please carefully read my privacy policy/ or the Taoist Arts Organisation’s Privacy Policy, which has been adopted by me, at www.taoistarts.org, to see how I will treat the personal information that you provide to me. I will take reasonable care to keep your information secure and to prevent any unauthorised access.

You can withdraw any of your consents below in writing to me. This will be subject to processing as per individual rights set out in the GDPR/ Data Protection Act 2018.

SIGNED:..... DATE:.....

PLEASE READ AND TICK THE BOXES BELOW TO INDICATE WHAT YOU CONSENT TO:

I consent to my personal and special category personal data (ie health information) I have provided in this form to be stored and processed by my Instructor Yes [] No []

I consent for my personal and special category data to be shared on a strictly need to know basis for the purposes of the delivery of my safe participation in TAO club activity (e.g at TAO classes and courses) Yes [] No []

I consent to the next of kin details I provided in this form to be stored and processed by my Instructor Yes [] No []

I have given the Next of Kin information above on behalf of someone else and I confirm that the named person has appointed me to act on his/her behalf to give consents as above Yes [] No []

If this form relates to a child under the age of 13 years, this consent needs to be provided by the parent. Anyone over the age of 13 can provide consent for the use of data under GDPR.

FULL NAME:SIGNATURE:.....

DATE:.....

STUDENT DECLARATION

The information on this form is true to the best of my knowledge and belief and I understand that it is my responsibility to inform my Instructor of any changes.

I appreciate that participation in any form of physical exercise or sport carries inherent risks.

SIGNED:..... DATE:.....

SIGNED:..... (Signature of parent / guardian if applicant is under 16 years old)



APPENDIX 9 -

TAO INSTRUCTOR CHECKLIST FOR GDPR & DATA PROTECTION COMPLIANCE

Please read and complete the following checklist, ticking the relevant boxes.

Please then complete name, sign and date the form and return to taoistartsorg@hotmail.com

INSTRUCTOR STATEMENT

I, [TAO Instructor Name].....take the protection of the personal and special category data that I hold about a Taoist Arts Organisation member seriously and will do everything possible to ensure that data is collected, stored, processed, maintained, kept secure, cleansed and retained in accordance with current and future UK data protection legislation.

Yes [] No []

I have read and understood the up to date versions of the following TAO documents:

- TAO Data Protection Policy Yes [] No []
- TAO Privacy Policy Yes [] No []
- TAO Instructor GDPR&Data Protection Factsheet Yes [] No []
- TAO GDPR/Data Protection Compliant Medical & Special Needs questionnaire Yes [] No []
- TAO GDPR/Data Protection Compliant Membership Form Yes [] No []

I am aware of my duties and responsibilities as both data controller and data processor dependent on the circumstances in which I exercise those duties

Yes [] No []

I am aware that I have legal obligations to comply with the GDPR and Data Protection Act 2018

Yes [] No []

I am aware that if I am responsible for a data breach or breach of the GDPR / Data Protection Act 2018, I will have legal liability

Yes [] No []

For all personal data I hold, I have identified the lawful basis for my processing of it and I have documented this in my records

Yes [] No []

My lawful basis for processing personal data is

For all special category data I hold, I have identified the lawful basis for my processing of it and also the condition for which I process it, and I have documented this in my records

Yes [] No []

My lawful basis for processing personal data is

The condition under which I process this special category data is.....

I have issued/ will issue to all my TAO students the TAO GDPR/Data Protection Compliant Membership Form and I will securely send the completed forms to the TAO:

Yes [] No []

I have issued/ will issue, to all my TAO students, for my own records, storage and processing only

TAO GDPR/Data Protection Compliant Medical & Special Needs questionnaire Yes [] No []

I have made all my TAO students aware of the TAO's Data Protection Policy (available in members' area of TAO website www.taoistarts.org) **and TAO Privacy Policy** (public domain of TAO website)

Yes [] No []

FULL NAME.....

SIGNATURE..... DATE.....



TAO Responsibility Statement:

The information contained in this Policy represents the TAO's interpretation of the law as at the date of this edition. The TAO takes all reasonable care to ensure that the information contained in this Policy is accurate and that any opinions, interpretations and guidance expressed have been carefully considered in the context in which they are expressed. However, before taking any action based on the contents of this Policy, readers are advised to confirm the up to date position and to consult the ICO on the reference, or relevant country authority for members outside the UK, regarding their individual circumstances.

If you have any queries, questions or comments on the information contained in this policy, kindly contact the TAO secretary on taoistartsorg@hotmail.com

