

PRIVACY NOTICE

The Minack Theatre Trust CIO Privacy Notice

Introduction

Welcome to the Minack Theatre Trust CIO privacy notice.

We respect your privacy and we are committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

1. Important information and who we are Purpose of this privacy notice

This privacy notice aims to give you information on how Minack Theatre Trust CIO collects and processes your personal data obtained by any method, including any data you may provide through this website. It applies to new and existing users of our website.

This website is not intended for children and we do not knowingly collect data relating to children from this website other than where it is necessary to identify the fact an individual is below a certain age in order to receive a concession.

Controller

The Minack Theatre is made up of different legal entities.

The Minack Theatre Trust CIO operates the charitable activities of the Minack Theatre.

The Minack Theatre Limited operates our online and retail shop.

This privacy notice is issued on behalf of the Minack Theatre Trust CIO and the Minack Theatre Limited so when we mention the Minack Theatre, “we”, “us” or “our” in this privacy notice, we are referring to the relevant company or CIO responsible for processing your data.

Minack Theatre is the controller and responsible for your personal data (collectively referred to as “we”, “us” or “our” in this privacy notice).

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the data privacy manager using the details set out below.

Contact details

Our full details are:

The Minack Theatre Trust CIO, a charitable incorporated organisation. Address, The Minack Theatre, Porthcurno, Cornwall, TR19 6JU. Registered charity 1166799.

The Minack Theatre Limited, a private limited company. Company number 03833428. Registered address, The Minack Theatre, Porthcurno, Cornwall, TR19 6JU.

Email address: info@minack.com

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

Changes to the privacy notice and your duty to inform us of changes

This version was last updated on 1st August 2021 and historic versions can be obtained by contacting us.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

Third-party links

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

2. The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender.
- **Contact Data** includes home address, billing address, email address and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- **Usage Data** includes information about how you use our website.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We do not collect **Special Categories of Personal Data** about you. We do not collect any information about criminal convictions and offences.

If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have purchased from us but we will notify you if this is the case at the time.

3. How is your personal data collected?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms, booking tickets, purchasing products or by corresponding with us by post, phone, email or otherwise.
- **Automated technologies or interactions.** As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, and other similar technologies.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:
- Technical Data from analytics providers such as Google based outside the EU.
- **Contact, Financial and Transaction Data** from providers of technical, payment and delivery services.

4. Recording customer details: how we use your information

To support NHS Test and Trace (which is part of the Department for Health and Social Care) in England, DHSC has provided guidance which we have chosen to follow. The guidance recommends that we collect and keep a limited record of staff, customers and visitors who come onto our premises for the purpose of contact tracing.

By maintaining records of staff, customers and visitors, and sharing these with NHS Test and Trace where requested, we can help to identify people who may have been exposed to coronavirus.

As a customer or visitor of The Minack Theatre you might be asked to provide some basic information and contact details. The following information will be collected:

- the names of all customers or visitors
- a contact phone number for each customer or visitor
- date of visit

The venue or establishment as the data controllers for the collection of your personal data, will be responsible for compliance with data protection legislation for the period of time it holds the information. If that information is requested by the NHS Test and Trace service, the service would at this point be responsible for compliance with data protection legislation for that period of time. NHS Test and Trace as part of safeguarding your personal data, has in place technical, organisational and administrative security measures to protect your personal information that it receives from the venue or establishment, that it holds from loss, misuse, and unauthorised access, disclosure, alteration and destruction.

NHS Test and Trace as part of its guidance, has recommended that we retain this information for 21 days from the date of your visit, to enable contact tracing to be carried out by NHS Test and Trace during that period. We will only share information with NHS Test and Trace if it is specifically requested by them. For example, if other customers at the venue subsequently tested positive, NHS Test and Trace can request the log of customer, visitor and staff details on a particular day.

We may require you to pre-book appointments for visits or to complete a form on arrival.

Under government guidance, the information we collect may include information which we would not ordinarily collect from you and which we therefore collect only for the purpose of contact tracing. Information of this type will not be used for other purposes, and NHS Test and Trace will not disclose this information to any third party unless required to do so by law (for example, as a result of receiving a court order). In addition, where the information is only collected for the purpose of contact tracing it will be destroyed by us 21 days after the date of your visit.

However, the government guidance may also cover information that we would usually collect and hold onto as part of our ordinary dealings with you (perhaps, for example, your name and phone number). Where this is the case, this information only will continue to be held after 21 days and we will use it as we usually would, unless and until you tell us not to.

Your information will always be stored and used in compliance with the relevant data protection legislation. The use of your information is covered by the UK General Data Protection Regulations

Article 6 (1) (f) – legitimate interests of the venue or establishment. The legitimate interest in this case is the interest of the venue/establishment in co-operating with NHS Test and Trace in order to help maintain a safe operating environment and to help fight any local outbreak of coronavirus. Collection of information from or about children under the age of 18 requires the consent of their parent or guardian.

By law, you have a number of rights as a data subject, such as the, right to be informed, the right to access information held about you, the right to rectification on any inaccurate data that we hold about you. You have the right to request that we erase personal data about you that we hold (although this is not an absolute right). You have the right to request that we restrict processing of personal data about you that we hold in certain circumstances. You have the right to object to processing of personal data about you on grounds relating to your particular situation (also again this right is not absolute). If you are unhappy or wish to complain about how your information is used, you should contact a member of staff in the first instance to resolve your issue.

If you are still not satisfied, you can complain to the [Information Commissioner's Office](#).

5. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

See below to find out more about the types of lawful basis that we will rely on to process your personal data.

Lawful basis

Legitimate Interest means our interest in conducting and managing our operations. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by *contacting us*.

6. Purposes for which we will use your personal data

We have set out below a description of all the ways we plan to use your personal data and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please *contact us* if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To provide you with a theatre booking, product or service	(a) Identity (b) Contact	Performance of a contract with you
To process and deliver your booking, product or service including: (a) Manage payments	(a) Identity (b) Contact	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
(b) Collect and recover money owed to us	(c) Financial (d) Transaction (e) Marketing and Communications	
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy	(a) Identity (b) Contact (c) Profile	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
(b) Asking you to take a survey		
To administer and protect our operations and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a reorganisation or restructuring exercise) (b) Necessary to comply with a legal obligation

7. Marketing

Marketing communications may include news concerning our activities the sale of products or services which we consider may be of interest to you. You may receive marketing communications from us if you have requested information from us or if you provided us with your details and, in each case, you have not opted out of receiving that marketing.

Third-party marketing

We do not share your personal data with any third parties for marketing purposes. You may receive marketing communications from us if you have requested information from us and if you provided us with your details.

You will only receive marketing communication from related third parties if you have selected that you are happy to receive this information and you have provided us with your details

Opting out

You can ask us to stop sending you marketing messages at any by *contacting us* at any time. Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of any contract we have entered into with you.

8. Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, some parts of this website may become inaccessible or not function properly.

9. Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please *contact us*.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

10. Disclosures of your personal data

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- External Third Parties such as:
 - o Service providers acting as processors who provide IT and system administration services.
 - o Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.
 - o HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.
 - o Third parties to whom we may choose to transfer, or merge parts of our operations or our assets. Alternatively, we may seek to acquire other operations and merge with them. If a change happens to our operations, then the new owners may use your personal data in the same way as set out in this privacy notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

International transfers

We do not transfer your personal data outside the European Economic Area (EEA).

11. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have an operational need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

12. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. You have the right to:

Request access to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data’s accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please *contact us*.

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.