

1. PURPOSE OF THIS NOTICE

At The Swallow Theatre we want you to have an enjoyable experience with us on every visit, and this includes your interaction with our website, box office and communications.

We also like to do things properly and to meet all our regulatory responsibilities as a venue and a small business.

This notice describes how we collect and use personal data about you, in accordance with Data Protection Legislation.

‘Data Protection Legislation’ means all applicable privacy and data protection legislation including PECR together with the GDPR and any applicable national laws, regulations and secondary legislation in the UK relating to the processing of personal data and the privacy of electronic communications, as amended, replaced or updated from time to time, in the UK.

‘PECR’ means the Privacy and Electronic Communications (EC Directive) Regulations 2003 (SI 2426/2003).

‘GDPR’ means the General Data Protection Regulation ((EU) 2016/679).

Please read the following carefully to understand our practices regarding your personal data and how we will treat it.

2. ABOUT US

The Swallow Theatre, (“we”, “us”, “our” and “ours”) is a drama, music and entertainment venue and a meeting and conference facility, creative retreat and rehearsal space.

For performances up to 12 December 2018 The Swallow Theatre is operated by Mountain Sky Limited, trading as ‘The Swallow Theatre’. We are registered in England and Wales as a limited company under number 09842658. Our registered office is at 71-75 Shelton Street, Covent Garden, London WC2H 9JQ.

For performances from 13 December 2018 The Swallow Theatre will operate as a partnership.

Our trading address and correspondence address is Moss Park, Ravenstone, Whithorn, Newton Stewart, Scotland, DG8 8DR.

For the purpose of the Data Protection Legislation and this notice, we are the ‘data controller’. This means that we are responsible for deciding how we hold and use personal data about you. We are required under the Data Protection Legislation to notify you of the information contained in this privacy notice.

3. HOW WE MAY COLLECT YOUR PERSONAL DATA

We obtain personal data about you, for example, when:

- you buy a ticket from us for an event;

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- you hire our venue;
- you contact us by email, telephone, post, the contact form on our website or social media (for example when you have a query about our services);
- you join as a Friend of The Swallow Theatre;
- you opt-in to our email marketing newsletter;
- from third parties (for example if you buy a ticket for an event at our venue through another organisation's box office); or
- from publicly available resources (for example, from social media, your own website or from Companies House – this will apply mainly to people who supply us with goods and services).

4. THE KIND OF INFORMATION WE HOLD ABOUT YOU

The information we hold about you may include the following:

- your personal details (such as your name, email address, telephone number and postal address);
- details of contact we have had with you in relation to the provision, or the proposed provision, of our services;
- details of any services you have received from us;
- our correspondence and communications with you;
- information from research, surveys, feedback forms, and marketing activities;
- information you provide on our Friends and newsletter sign up forms, such as your interests;
- information we receive from other sources, such as other box offices, funding providers and the Swallow Theatre Association (Scottish Charity SC026959).
- if you use WiFi in our venue we may collect data about your device, the volume of data you use, the websites and applications which you access and your usage by access time and frequency.

Website cookies and Google Analytics

We may collect information about your mobile phone, computer or other device from which you access the website, including where available your IP address, operating system and browser type, for systems administration and to report aggregate information. This is statistical data about our users' browsing actions and patterns and does not identify any individual. We may, however, use such information in conjunction with the data we have about you in order to track your usage of our services.

Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to

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improve the website. By using our website you agree to our use of cookies as more specifically set out below.

A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer if you agree. Cookies contain information that is transferred to your computer's hard drive.

The cookies we use include:

- Google Analytics cookies. They allow us to recognise and count the number of visitors and to see how visitors move around the website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.
- “Functionality” cookies. These are used to recognise you when you return to our website. This enables us to personalise our content for you, greet you by name and remember your preferences (for example, your choice of language or region).

You may block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of the website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies as soon as you visit our website.

External links

Our website may contain links to other sites at which your personal information is collected. When following a link to another site, the collection and use of your personal information is controlled by the privacy policy of that site. We do not accept any responsibility or liability for the privacy policies of external websites and your use of external websites is at your own risk.

Photographs and video/CCTV recording

During an event held at the venue we may take photographs of the performance and/or make a video recording of the show and/or transmit a live CCTV relay to backstage and foyer areas.

The use of photographic equipment and video equipment by audience members during an event is prohibited, and whilst we shall try to ensure this, we have no control and are not responsible for images taken in our venue and distributed by members of the public, for example on social media.

5. HOW WE USE PERSONAL DATA WE HOLD ABOUT YOU

Where we have a contract with you (e.g. ticket sale, Friends membership, venue hire or where you are our supplier) we may process your personal data for purposes necessary for the performance of our contract with you and to comply with our legal obligations.

We may process your personal data for the purposes of our own legitimate interests provided that those interests do not override any of your own interests, rights and freedoms which require the protection of personal data. This includes processing for marketing, business development, training, statistical and management purposes.

We may process your personal data for certain additional purposes with your consent, and in these circumstances where your consent is required for the processing of your personal

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data then you have the right to withdraw your consent to processing for such specific purposes.

Please note that we may process your personal data for more than one lawful basis depending on the specific purpose for which we are using your data.

Situations in which we will use your personal data

We may use your personal data to:

- carry out our obligations arising from any agreements entered into between you and us (which will most usually be for the provision of our services);
- provide you with information related to our services, events and activities (and sometimes those of a similar nature in the local area put on by other organisations) that you request from us or which we feel may interest you, provided you have consented to be contacted for such purposes;
- contact you to request help where you are a Friend of The Swallow Theatre and have volunteered your assistance;
- seek your thoughts and opinions on the services we provide; and
- notify you about any changes to our services.

In some circumstances we may anonymise or pseudonymise the personal data so that it can no longer be associated with you, in which case we may use it without further notice to you.

We may also process your personal data without your knowledge or consent, in accordance with this notice, where we are legally required or permitted to do so.

Data retention

We will only retain your personal data for as long as is necessary to fulfil the purposes for which it is collected.

When assessing what retention period is appropriate for your personal data, we take into consideration:

- the requirements of our business and the services provided;
- any statutory or legal obligations;
- the purposes for which we originally collected the personal data;
- the lawful grounds on which we based our processing;
- the types of personal data we have collected;
- the amount and categories of your personal data; and
- whether the purpose of the processing could reasonably be fulfilled by other means.

Change of purpose

Where we need to use your personal data for another reason, other than for the purpose for which we collected it, we will only use your personal data where that reason is compatible with the original purpose.

Should it be necessary to use your personal data for a new purpose, we will notify you and communicate the legal basis which allows us to do so before starting any new processing.

DATA SHARING

Why might we share your personal data with third parties?

We will share your personal data with third parties where we are required by law, where it is necessary to administer the relationship between us or where we have another legitimate interest in doing so.

Which third-party service providers process your personal data?

“Third parties” includes third-party service providers. All of our third-party service providers are required to take commercially reasonable and appropriate security measures to protect your personal data. We only permit our third-party service providers to process your personal data for specified purposes and in accordance with our instructions.

The following activities are carried out by third-party service providers:

Online Box Office (The Little Box Office) and Card Payments (Braintree)

We use thelittleboxoffice.com, an online application provided by The Little Box Office Ltd (“LBO”) to manage our ticket sales.

When you use the LBO platform to purchase tickets, you will be asked to fill out an online form with personal information. If you purchase a ticket by telephone, paper form or in person, we will complete the LBO online form on your behalf from information provided by you.

For more information see [The Little Box Office's Privacy Notice](#).

Payment card information is stored by our card payment provider Braintree, a service of PayPal (our “payment processor”). For more information see [Braintree's Privacy Notice](#). Neither us, nor LBO, store your credit card details after the transaction has been processed and we do not have access to them.

Email Lists (MailChimp)

We use MailChimp, a marketing automation platform, to manage our email lists and to deliver email newsletters and marketing messages to people who have opted to receive them, and to deliver communications to the Friends of The Swallow Theatre. We gather statistics around email opening and clicks using industry standard technologies to help us monitor and improve our emails. For more information see [MailChimp's Privacy Notice](#).

IT and cloud services

We use various online software services and cloud services to manage our business including but not limited to Office365, Xero (bookkeeping), and Dropbox.

Banking services

We use online banking services to manage our finances.

What about other third parties?

If you are a Friend of The Swallow Theatre we share your personal data with the **Swallow Theatre Association (Scottish Charity number SC026959)**, the Independent Examiner of the Swallow Theatre Association, and (if you have signed the relevant declaration) with **HM Revenue and Customs** for Gift Aid purposes.

We may share your personal data with other third parties, for example in the context of the possible sale or restructuring of the business, or with our professional advisers. We may also need to share your personal data with a regulator or to otherwise comply with the law.

We do not sell, rent, trade or pass on email lists to third party organisations for marketing purposes.

6. WHERE WE STORE YOUR PERSONAL DATA

All information we hold about you for ticket purchases is stored by LBO on their secure servers, which may be at a destination outside the European Economic Area ("EEA").

If you opt-in to email marketing or apply to be a Friend we will store your personal data on MailChimp on their secure servers, which may be at a destination outside the EEA.

Forms, correspondence and applications sent to us on paper are stored at The Swallow Theatre and may be scanned into our computer system.

We hold spreadsheets of data for management purposes and these are held at The Swallow Theatre and also on secure online backup systems.

Countries outside the EEA do not have the same data protection laws as the United Kingdom and EEA. Whilst the European Commission has not given a formal decision that such countries provide an adequate level of data protection similar to those which apply in the United Kingdom and EEA, any transfer of your personal data will be subject to a European Commission approved contract (as permitted under Article 46(5) of the General Data Protection Regulation, or such other approved mechanism that is designed to help safeguard your privacy rights and give you remedies in the unlikely event of a misuse of your personal data.

We will not otherwise transfer your personal data outside of the United Kingdom OR EEA or to any organisation (or subordinate bodies) governed by public international law or which is set up under any agreement between two or more countries.

7. DATA SECURITY

We have put in place commercially reasonable and 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, volunteers and other third parties who have a business 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 data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Our payment processor uses their own security measures to keep your personal banking details safe, including safeguards such as firewalls and data encryption.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our website, LBO and Mailchimp; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

8. RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

Your duty to inform us of changes

It is important that the personal data we hold about you is accurate and current. Should your personal information change, please notify us of any changes of which we need to be made aware by contacting us, using the contact details below.

If you have set up an account with LBO during the purchase of a ticket you will be able to amend this information via your account profile on LBO. If you do not have an account, please note that we will have only collected the information in relation to the order you have made, we are unable to update any of those details but we can update our own internal records so the data we collect about you is accurate.

Your rights in connection with personal data

Under certain circumstances, by law you have the right to:

- Request access to your personal data. This enables you to receive details of the personal data we hold about you and to check that we are processing it lawfully.
- Request correction of the personal data that we hold about you.
- 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 exercised your right to object to processing (see below).
- 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 basis. You also have the right to object where we are processing your personal information for direct marketing purposes.
- Request the restriction of processing of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal data to you or another data controller if the processing is based on consent, carried out by automated means and this is technically feasible.

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If you want to exercise any of the above rights, please email info@swallowtheatre.co.uk.

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 for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

9. RIGHT TO WITHDRAW CONSENT

In the circumstances where you may have provided your consent to the collection, processing and transfer of your personal data for a specific purpose (for example, in relation to direct marketing that you have indicated you would like to receive from us), you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please email info@swallowtheatre.co.uk or click the 'unsubscribe' link at the bottom of any marketing email.

Once we have received notification that you have withdrawn your consent, we will no longer process your personal information (personal data) for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

10. CHANGES TO THIS NOTICE

We reserve the right to modify this privacy notice at any time. Any changes we may make to our privacy notice in the future will be updated on our website and notified to you. Your continued use of our services and website shall be deemed to be your acceptance of the varied privacy notice.

This privacy notice was last updated on 11 November 2018.

11. CONTACT US

If you have any questions regarding this notice or if you would like to speak to us about the manner in which we process your personal data, please email info@swallowtheatre.co.uk or telephone 01988 850368.

You also have the right to make a complaint to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues, at any time. The ICO's contact details are as follows:

Information Commissioner's Office
Wycliffe House, Water Lane
Wilmslow, Cheshire
SK9 5AF

Telephone - 0303 123 1113 (local rate) or 01625 545 745

Website - <https://ico.org.uk/concerns>