

Privacy Notice: How we handle your data



Company information

We are Focus on Sound Ltd, a music education software company registered in England and Wales (company number 07636545). We are a MusicFirst company (the Digital Education Division of Wise Music Group Limited (company number 00884449)). Our registered office is 14-15 Berners Street, London W1T 3LJ. We hold a Data Protection Registration with the UK Information Commissioner's Office which is ZA804802.

General information

We have a moral and legal responsibility to respect your privacy and take care of any personal data we hold about you, in compliance with the General Data Protection Regulation (the GDPR) and the Data Protection Act 2018.

We are the data 'controller' for the personal data we process about our customers' representatives, subscribers, website users, employees and contractors, job applicants, visitors to our offices and customer leads. This privacy notice tells you what to expect when we handle personal data as a data controller.

We sometimes process personal data as a data 'processor'. This is when we handle personal data on behalf of our customers, namely schools. In these cases, we process this information upon their written instructions under a contract. Any collection or use of that information is limited to the purpose of providing the service to them. For further information about how we process personal information on behalf of schools, see our Privacy Notice for Schools.

There may be links on our website to third party sites. These are beyond our control; we therefore suggest that you check the privacy notices of these sites before using them.

How we get your information

Most of the personal data we process is provided to us directly by you, for example when you:

- make an enquiry by email, phone or through our website
- sign up to our newsletters, blogs and promotions
- apply for a job
- work with us as an employee or contractor
- use our website

We may also collect personal information about you indirectly, for example through:

- our customers
- public sources (e.g. websites and professional networking sites)
- recruitment agencies
- referees to support your job application (at your request)

Personal data collected and how it is handled

Enquirers

When someone contacts us asking about our services through our website, by email or over the telephone, we collect their name, contact details and the nature of their enquiry. We collect this information for our **legitimate interests** as a company, to be able to respond to their

Privacy Notice: How we handle your data



enquiry and keep a record of our communications with them. We keep this information for 2 years from the date of the last communication.

Customers

We collect the name and contact details of our customers and information about the service they have purchased. We need this information so we can fulfil our **contract** with the customer, or take steps at the request of the customer, prior to entering into a contract with them. We also collect this information for our **legitimate interests**, in maintaining records for accounting, legal and insurance purposes. We keep this information for as long as we need to, to satisfy any contractual, legal, accounting, or reporting obligations, however this is usually archived and kept for 7 years after termination of the service contract.

Subscribers

We collect the name and contact details of people who want to subscribe to our newsletters, resources, blogs and promotions. We collect this information with the **consent** of the individual when they opt-in to receive these communications. If a person unsubscribes, we remove them from our mailing list but retain their contact details in a separate database. We need to retain this information for our **legitimate interests**, to ensure we do not contact them again in the future. We keep subscriber data until they unsubscribe or if the email address becomes invalid. We retain the contact details of those who have unsubscribed indefinitely.

Customer leads

We sometimes collect the name, job role and work contact details of employees working for potential customers, who we think would be interested in receiving information about our company's services; this is known as 'B2B' or 'business to business' marketing. This information is only collected from public sources, such as their organisation's website or where the employee has published their name, work profile and contact details on a networking site for professionals, (such as LinkedIn) and therefore would have a reasonable expectation that companies like us, may contact them to make introductions and market their services. We collect this information to pursue our **legitimate interests**, to be able to promote and market our services to potential new customers. New contacts can opt-out from receiving communications from us at any time, by emailing info@focusonsound.com

We keep this information for 2 years from the date of our last communication, where the communication does not lead to a sale. If the communication does lead to a sale, this information will be retained in line with our retention policy for 'customers'.

Job applicants

We receive Curriculum Vitae (CVs) and application forms from people who apply for jobs with us. This will often include the individual's name, contact details, experience, education and a personal statement to support their application. We collect this information with the person's **consent** and for our **legitimate interests** to be able to assess the suitability of the individual and where relevant, invite them to interview. Applicants who are not successful, prior to or after interview, their CV and application will be destroyed after 6 months, unless the applicant gives us their permission to retain this information for longer. Information relating to successful applicants, will be retained on their employee file and held for the duration of their employment, plus a further 7 years after their contract has ended.

Employees

We collect information about our employees, such as their name, date of birth, contact details, recruitment information, evidence of their right to work, outcome of their criminal record check (DBS), contract, bank details and other employment information. We collect this information to enable us to fulfil our **contract** with the employee or to take steps at the request of the

Privacy Notice:

How we handle your data



employee, prior to entering into a contract with them. For example, to ensure they are paid; make pension and tax contributions on their behalf and provide employee services and benefits to them. We also collect this information to pursue our **legitimate interests**, for example to recruit employees, maintain a register of our employees (past and present) for insurance, legal, tax and pension purposes and to assist in the prevention or detection of crime (including fraud).

We sometimes collect 'special category data' about our employees, for example information about their disabilities, health and dietary needs or religious beliefs. We do this with their **consent**, so we can make reasonable adjustments in the workplace, and to enable us to carry out our legal **obligations** under employment (such as the Equality Act) and safeguard the welfare of the employee and where relevant colleagues. We keep employee files for 7 years after the contract has ended.

Contractors

We collect information about our contractors, such as their name, contact details, experience, outcome of their criminal record check (DBS) (where required), service contract and bank details. We collect this information for our **legitimate interests**, to be able to assess the suitability of the individual and to enable us to fulfil our **contract** with them or to take steps at their request, prior to entering into a contract with them. We keep contractors' files for 7 years after their contract has ended.

Website users

When someone visits our website, we collect standard internet log information and details about visitor behaviour patterns. We collect this information for our **legitimate interests** in finding out things such as the number of visitors to the various parts of our website. We collect this information in a way which does not identify anyone. We do not make any attempt to find out the identities of those visiting this website and will not associate any data gathered, with any personally identifying information from any source. We keep this information for as long as we need to, to assess the effectiveness of our website and make improvements where required. For more information see our Cookie Policy.

Who we share information with

We do not share your data with other organisations, unless it is necessary for legal, contractual, regulatory or law enforcement purposes. Where we use data 'processors' to help us manage and store our data (Amazon Web Services and MFAC UK); promote our services (advertising/marketing companies) and build our products (Setseed programming), we have Data Processor Agreements or confidentiality agreements in place, to protect any personal data they may have access to on our behalf.

Our data processors only act on our instructions and are carefully selected to ensure they have robust security measures in place and comply with the General Data Protection Regulation (GDPR) when processing personal data.

Where we process your personal data as a data 'processor' for our customers, your personal data will be accessible to and may be transferred to them, to enable us to fulfil our contract with them.

There may be times when we need to disclose personal data to other data controllers, for example:

- In the event that we sell any business or assets

Privacy Notice:

How we handle your data



- If we or substantially all of our assets (including data) are acquired by a third party
- If we are under a duty to disclose or share your personal data to comply with any legal obligation, or in order to enforce or apply our terms of service and other agreements.
- To protect the rights, property, or safety of Focus on Sound Ltd, our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection.

We will never sell your personal data or share it in a way you would not reasonably expect.

Where we store data

Focus on Sound only stores personal data on encrypted servers within the United Kingdom (UK).

- **Amazon Web Services.** These encrypted servers store the MusicFirst Application Cloud (MFAC UK) database, which contains customer personal data. This data is held in the UK.
- **Application Web Servers.** These store the Focus on Sound application code and are stored in the UK. No customer personal data is stored on these servers.
- **CloudFront servers.** Most media is now stored on multiple servers around the world in a CDN (Content Delivery Network). This is to enable rapid delivery of the media from as near to the customer as possible. No customer personal data is stored on these servers.

How we protect your information

We take our security responsibilities very seriously and have put in place robust measures to protect our customers' personal data from accidental or unlawful access, disclosure, loss, damage or destruction. The following are examples of how we achieve this:

- We have appointed an independent Data Protection Officer to oversee our data protection compliance
- Customer personal data is held on an encrypted database on encrypted servers in the UK
- We use Microsoft secure OneDrive upload, a secure file sharing platform to receive customer personal data (in cases where the customer prefers not to upload the data themselves to MFAC UK). This platform has 'end-to-end' encryption in place.
- Access to our data and systems is on a strict need to know basis and we ensure our employees, contractors and sub-processors are under an obligation of confidentiality
- Employees receive mandatory annual data protection training and sign up to our Data Protection Policy
- We have robust procedures in place to manage and report personal data security breaches, in the unlikely event of a breach occurring
- Where we use companies who process personal data on our behalf, to help us provide our services to our customers, we will carry out due diligence checks on these companies and have written contracts in place which require them to handle personal data in line with the data protection laws
- We use up to date virus and malware protection software, security patches are applied promptly and we back up data regularly

Privacy Notice: How we handle your data



Your data protection rights

You have the following rights under the data protection laws:

- The right to be told how your personal data is being processed
- The right of access to your personal data
- The right to rectify personal data held about you which you think is inaccurate or incomplete
- The right to erase your personal data in certain circumstances
- The right to restrict the processing of your information in certain circumstances
- The right to object to your information being used for public interest or direct marketing purposes
- The right to ask that your personal data is transferred from one organisation to another or given to you, in certain circumstances.
- The right to complain to the organisation processing your personal data if you are not happy with the way it has been handled, and to escalate this to the Information Commissioner if you remain dissatisfied

You are not required to pay a fee for exercising your rights and can expect to receive a response within one calendar month. Further information about your data protection rights, can be found on the Information Commissioner's Office website at www.ico.org.

Contact us

If you have any queries about this privacy notice or our data protection compliance, please contact our independent, external Data Protection Officer, Amber Badley (Firebird Data Protection Consultancy Limited) at DPO@firebirdltd.co.uk.

Alternatively, you can contact us directly at info@focusonsound.com or write to us at 14-15 Berners Street, London W1T 3LJ.

Changes to this privacy notice

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated on 15/12/2020.