



This document is designed to instigate discussion on how a venue and artist could work together to share audience data as part of a tour performance(s). It is recommended that a further agreement is implemented through a contract or contractual clause added to the booking contract, to ensure that the data sharing is upheld. This resource offers one approach to data sharing and does not constitute as legal advice.

When considering data collection it is also important to remain aware of your organisational capacity to securely store, update and use the data. You may find that not all examples in this policy are appropriate to your company or venue.

Data sharing policy example

Ahead of your performance(s) of SHOW by ARTIST on DATE this policy outlines four ways which we can collaborate on data sharing and collection. We recognise that not all four options will be possible for every venue, but encourage you to commit to three of the options noted.

This policy has been created using best practice recommendations from the Audience Agency and Arts Council England.

1. Sharing of anonymised box office data for reporting purposes

We, the Visiting Artist(s) request to receive all booker postcodes in full for use in reporting back to Arts Council England.

Please send a full list of postcodes to EMAIL by DATE alongside the final box office report. This raw data will be used for reporting purposes relating to this project only. Customers will never be contacted.

2. Sharing audience personal data for communications

We, on the behalf of the Visiting Artist(s) ask that you provide customer records from your box office system which specifically relate to this particular project. This data will be used for communications purposes by the artist(s) after the performance. Extracted data sets for sharing should exclude all customers who have opted-out or been suspended. At the time of booking audiences should receive a notification which clearly states that if they opt-in, their data will be shared with the visiting artist(s) that they are purchasing tickets for. The notification could be in the form of a tick box which asks whether the customer would like to receive future updates from the Visiting Artist(s) for example.

This data will be stored securely by the artist(s). If the Visiting Artist(s) plan to communicate with the customers regarding events not at the venue where the data was received, the artist(s) will send an opt in/out email introducing audiences to the e-newsletter list.

3. Email on behalf of the visiting artist(s)

In each booking instance where a transactional relationship has been upheld we ask that the venue contacts all of the bookers on behalf of the visiting artist(s) with an e-newsletter within five working days after the performance. The Visiting Artist(s) will provide content for this e-newsletter and it will invite all recipients to join the Visiting Artist(s) newsletter. This email may on occasion include a link to a survey about the production.

4. Collecting data directly from attendees

The Visiting Artist(s) would like to offer attendees the opportunity to opt-in to direct communications by having a printed sign-up form at the box office before and after any performances. The personal data will include the bookers name and email address. All data will be stored securely by the Visiting Artist(s).

The use and storage of data

The Visiting Artist(s) will not communicate with any audience members unless permission has been granted by the venue and audiences have opted-in. Any research done into the characteristics of audience members through the exploration of their postcode data will be shared with the venue.

Glossary of terms

Anonymised data: “Anonymised data” is where the data does not identify individuals by name or address (postcodes can be shared) or provide any contact details. There are no issues in sharing this type of data.

Transactional relationship: The Privacy and Electronic Communications Regulations 2003 (PECR) established that if a customer has a “transactional relationship” with an organisation, such as having purchased a ticket, then the organisation can assume they can contact the customer with information about similar events they are presenting. The key requirement is that any email communication offers them an ‘unsubscribe’ facility at the top of the message so that they can opt out at any time.

Data sharing: The Information Commissioner’s department confirmed that there is nothing in the Data Protection Act 1998 (the DPA) or the Privacy and Electronic Communications Regulations 2003 (PECR) that prevents venues from sharing audience data with touring companies - assuming permission to share has been obtained.

The Privacy and Electronic Communications Regulations 2003 (PECR): The Privacy and Electronic Communications Regulations (PECR) sit alongside the Data Protection Act (1998). They give people more privacy in relation to electronic communications. One of the key points of this legislation is that it is unlawful to send someone direct marketing who has not specifically granted permission (via an opt-in agreement) unless there is a previous relationship between the parties.

Data Protection Act 1998: Was passed by Parliament to control the way information is handled and to give legal rights to people who have information stored about them. The Data Protection Act (DPA) is a law designed to protect personal data stored on computers or in an organised paper filing system.

Information Commissioner’s Department: is a title given to a government regulator in the fields of freedom of information and the protection of personal data in the widest sense. In the United Kingdom, the Information Commissioner's Office is responsible for regulating compliance with the Data Protection Act 1998, Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

Further information and guidance can be found in these [resources created by the Audience Agency](#).