



Sound and Music

Data Protection Policy 2018

Title: Sound and Music Data Protection Policy April 2018
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PART 1. Data Protection Policy Overview

In order to operate efficiently, Sound and Music collects information about the people it works with, those who use its services and products and those who sign up to the organisation's communications.

This data may include personal data which is collected and used in order to improve Sound and Music's work, to inform planning and developments and to communicate and deliver national change.

Sound and Music collects information from a range of individuals, and this **Data Protection Policy** outlines how and why that data is used, how it is stored and how it is protected. Sound and Music collects different types of data to inform and improve its services and products, to campaign and lobby for change and to update users and audiences on activity and opportunities.

This **Data Protection Policy** has been revised and developed in line with the new [General Data Protection Regulation \('the GDPR'\)](#) which comes into force in the UK from the 25th May 2018. The GDPR aims to protect all individuals' personal and sensitive data and replaces the previous Data Protection Act 1998 ('the DPA').

There is more information about the [GDPR and its 'five principles' here](#).

Sound and Music is committed to reviewing this policy annually.

This process will be led by its registered [Data Protection Officer](#), supported by the [Chief Executive](#) and [Board of Trustees](#).

PART 2 Definitions

'Personal data' is [defined under GDPR](#) as being *“any information relating to an identified or identifiable natural person. An identifiable 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, online identifier (including cookies) or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person”*.

It can include a variety of information, including names, addresses, contact details, age, ethnicity, gender, financial details and other personal details. The GDPR also specifically addresses the data and rights of living individuals.

It may also include identifying collateral such as photographs and biographies.

Sound and Music can hold personal data for a limited timeframe, as long as that timeframe is clear to the individuals and consent obtained, as outlined below.

Under the GDPR potentially 'sensitive personal data' is called 'special category data' and this is defined as “data consisting of racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data, data concerning health or data concerning a natural person's sex life or sexual orientation”.

PART 3. Sound and Music's core commitments

In creating this updated **Data Protection Policy**, Sound and Music has:

- Undertaken training with the Senior Management and the wider team
- Instated an internal Steering Group to oversee this work
- Sought qualified external advice and legal support
- Assigned an internal [Data Protection Officer](#)

Sound and Music commits to:

- Take all reasonable steps to ensure that personal data is kept secure at all times against unauthorised or unlawful loss or disclosure – by May 2018
- Review all third party relationships and wider data protection compliance – by October 2018
- Ensure that all members of the organisation are sufficiently trained and that those managing or handling personal data understand the responsibilities for upholding this **Data Protection Policy** and best practice – by December 2018

- Undertake a comprehensive audit of all data held by the organisation, improving processes, storage and methodology in line with or exceeding legal requirements – by April 2019
- The regular assessment, evaluation, review and updating of this policy and all related processes – by April 2019 then annually
- Document all training, meetings, improvements and decisions made in regards to the organisation’s policy for collection, storage and use of data – by May 2019

PART 4. Data collected by Sound and Music

Sound and Music works with many different individuals and collects different types of information, as a ‘Controller’ of data ([see GDPR definition here](#)).

Sound and Music can break down the individuals from whom it collects data, and how and what data it collects, into eight categories, as outlined below:

Category of individual	How data is collected?	What data is collected?	Lawful basis for processing	How is the data used?
Applicants to Sound and Music programmes and opportunities (including composers and young composers, artists, performers, educators, children and young people)	In two ways: <ul style="list-style-type: none"> • In an Application Form • In an Equal Opportunities monitoring form 	Application Form: <ul style="list-style-type: none"> • Personal data including name, location, age, education and contact details • Sensitive personal data including gender, ethnicity, sexual orientation, disability and health Equal Opportunities monitoring form <ul style="list-style-type: none"> • Includes data about age, location, sexual orientation, socio-economic background ethnicity, gender, disability 	Application Form: <ul style="list-style-type: none"> • Applicants give Sound and Music consent to hold personal and sensitive personal data for the duration of the application process, for the purposes of communication and the selection process itself. Equal Opportunities monitoring form: <ul style="list-style-type: none"> • As these are anonymised and individuals cannot be identified, these are out of scope of this policy and the GDPR regulations 	Application Form: <ul style="list-style-type: none"> • To enable and inform shortlisting and selection of participants and to meet any access requirements, in line with Sound and Music's Equality, Diversity and Inclusion Policy and Action Plan Equal Opportunities monitoring form: <ul style="list-style-type: none"> • Anonymised and aggregated for monitoring, reporting, evaluating and campaigning purposes, in line with Sound and Music's Equality, Diversity and Inclusion Policy and Action Plan
Participants in Sound and Music's programmes	In two ways: <ul style="list-style-type: none"> • In an Application Form • Via marketing collateral 	Application Form: As outlined above Marketing collateral: <ul style="list-style-type: none"> • Includes data such as name, location, contact details, web links, social links, images and audio visual material 	Application Form: <ul style="list-style-type: none"> • As outlined above • Furthermore, successful applicants give Sound and Music consent to hold personal and sensitive personal data for monitoring, reporting, evaluating and campaigning purposes. Marketing collateral: <ul style="list-style-type: none"> • Sound and Music has a 	Application Form: <ul style="list-style-type: none"> • As outlined above • Anonymised and aggregated for monitoring, reporting, evaluating and campaigning purposes, in line with Sound and Music's Equality, Diversity and Inclusion Policy and Action Plan Marketing collateral: <ul style="list-style-type: none"> • To inform effective delivery of agreed activity

			<p>legitimate interest in holding data about participants in order to be able to contact them efficiently and publicise their work.</p>	<ul style="list-style-type: none"> • To meet any access requirements • To create marketing materials and content
<p>Featured composers and artists (including any profiled on any online platforms or marketing content including composers on the British Music Collection, composers in Minute of Listening, listings in the Sampler. Each of Sound and Music platforms and their policies are linked below.)</p>	<p>In three ways:</p> <ul style="list-style-type: none"> • Via online subscription • Via online registration forms • Via marketing collateral 	<p>Online subscription:</p> <ul style="list-style-type: none"> • Includes data such as name, location, age and contact details <p>Online registration:</p> <ul style="list-style-type: none"> • Includes data such as name, location, age, gender, economic and profession and unique preferences <p>Marketing collateral:</p> <ul style="list-style-type: none"> • Includes data such as name, location, contact details, web links, social links, images and audio visual material 	<p>Subscribers or Registrants:</p> <ul style="list-style-type: none"> • Give Sound and Music consent for Sound and Music to hold their personal data for the purposes of profiling their work or activity or for communication. <p>Marketing collateral:</p> <ul style="list-style-type: none"> • Sound and Music has a legitimate interest in holding data about featured composers and artists in order to be able to contact them efficiently and publicise their work. 	<p>Online subscription and registration:</p> <ul style="list-style-type: none"> • To inform and improve platforms and services • To enable users to create, contribute and access content • To ensure a relevant and bespoke experience for users • To communicate with users and participants <p>Marketing collateral:</p> <ul style="list-style-type: none"> • To inform effective delivery of agreed activity • To create marketing materials and content
<p>Contributors and Subscribers (including users creating profiles on any of Sound and Music's online platforms, subscribers to newsletters and other e-communications)</p>	<p>In two ways:</p> <ul style="list-style-type: none"> • Via online subscription • Via online registration 	<p>Online subscription:</p> <ul style="list-style-type: none"> • Includes data such as name, location, age, economic, professional and contact details 	<ul style="list-style-type: none"> • Contributors and subscribers give consent for Sound and Music to hold their personal data for the purposes of communication. 	<p>Online subscription and registration:</p> <ul style="list-style-type: none"> • To inform and improve platforms and services • To enable users to create, contribute and access content • To ensure a relevant and bespoke experience for users • To communicate with users and participants

		Online registration: <ul style="list-style-type: none"> Includes data such as name, location, age, gender, economic and profession and unique preferences 		<ul style="list-style-type: none"> To monitor, evaluate and campaign
Donors (including individual donors and individuals working for funding bodies)	Individual donors <ul style="list-style-type: none"> Via Paypal Individuals working for funding bodies <ul style="list-style-type: none"> Via email 	Individual donors <ul style="list-style-type: none"> Name, address and email Individuals working for funding bodies <ul style="list-style-type: none"> Name and work contact details i.e. email address, telephone number and title 	Individual donors and individuals working for funding bodies: <ul style="list-style-type: none"> Consent for the purpose of claiming gift aid and for the purposes of communication Consent to regular gifts i.e. monthly donations 	Individual donors <ul style="list-style-type: none"> For the purpose of claiming gift aid To ensure that donors are contacted with the most appropriate communication, which is relevant and timely and will ultimately provide an improved experience for them. To better understand the background of the people who support Sound and Music and assist the organisation in making appropriate requests to supporters To monitor and evaluate donors experience Individuals working for funding bodies <ul style="list-style-type: none"> Contained within CRM system for the purpose of managing relationship and correspondence with funding body
Applications for employment or Board membership	In two ways: <ul style="list-style-type: none"> In an Application Form In an Equal 	Application form: <ul style="list-style-type: none"> Personal data including name, location, age , education, and 	Application form: <ul style="list-style-type: none"> Applicants give Sound and Music consent to hold 	Application form: <ul style="list-style-type: none"> To enable shortlisting and selection of candidates and to

	<p>Opportunities monitoring form</p>	<p>contact details</p> <ul style="list-style-type: none"> • (voluntary question in the application form) Sensitive personal data including gender, ethnicity, sexual orientation, disability, socio-economic background and health <p>Equal Opportunities monitoring form:</p> <ul style="list-style-type: none"> • Includes data about age, location, sexual orientation, socio-economic background ethnicity, gender, disability 	<p>personal and sensitive personal data for the duration of the selection process.</p> <ul style="list-style-type: none"> • Sound and Music also has a legitimate interest in holding forms of personal data that allow Sound and Music to communicate with applicants as part of the selection process. <p>Equal Opportunities monitoring form:</p> <ul style="list-style-type: none"> • As these are anonymised and individuals cannot be identified, these are out of scope of this policy and the GDPR regulations 	<p>meet any access requirements, in line with Sound and Music's Equality, Diversity and Inclusion Policy and Action Plan</p> <p>Equal Opportunities monitoring form:</p> <ul style="list-style-type: none"> • Anonymised and aggregated for monitoring, reporting, evaluating and campaigning purposes, in line with Sound and Music's Equality, Diversity and Inclusion Policy and Action Plan
Employees and Board members	<p>In three ways:</p> <ul style="list-style-type: none"> • Conflict of Interest Declaration (for Board Members and Chief Executive only) • Personal Details Form • In an Equal Opportunities monitoring form 	<p>Conflict of Interest Declaration (for Board Members Only):</p> <ul style="list-style-type: none"> • Includes data about socio-economic background, political opinions and trade union memberships of Board Members and spouses/ partners of Board Members. <p>Personal Details Form:</p> <ul style="list-style-type: none"> • Personal data including name, correspondence address, occupation, bank account details, contact details and 	<ul style="list-style-type: none"> • Employees and board members give Sound and Music consent to hold personal data that allows Sound and Music to communicate with them for the purposes of the work they are engaged to perform, and to fulfil its governance responsibilities, and to fulfil contractual responsibilities • Sound and Music also has a legitimate interest in holding this data to facilitate this communication. 	<p>Conflict of Interest Declaration:</p> <ul style="list-style-type: none"> • To comply with the Charity Governance Code, specifically principles of accountability and integrity noted in Article 3.1. <p>Personal Details Form (for Board Members only):</p> <ul style="list-style-type: none"> • To comply with requirements of the Companies Act (2006), noted in Section 163, whereby a Trustee must be identifiable and provide an address where documents could be served. • Companies House publishes

		<p>D.O.B</p> <p>Equal Opportunities monitoring form:</p> <ul style="list-style-type: none"> • As outlined above 		<p>online the full name, correspondence address (which is allowed to be Sound and Music’s address), birth year and month, and occupation of Trustees.</p> <ul style="list-style-type: none"> • The Charity Commission publishes online the full name of each Trustee and any other charity the Trustee currently acts for. <p>Personal Details Form (for staff)</p> <ul style="list-style-type: none"> • To facilitate communication and the fulfilment of contractual and statutory obligations including payroll, pensions and taxation <p>Equal Opportunities monitoring form:</p> <ul style="list-style-type: none"> • As outlined above
<p>External advisers and suppliers (including partner organisations, steering group members, external selection panel members and advisory board members, patrons, freelance workers and other external providers)</p>	<ul style="list-style-type: none"> • Via contracts and agreements 	<ul style="list-style-type: none"> • Personal data including name, location, contact details and payment details 	<ul style="list-style-type: none"> • Sound and Music has a legitimate interest in holding personal data relating to external advisers and suppliers, which is to facilitate efficient communication with them. • In some cases Sound and Music may hold such data in order to fulfil contractual obligations. 	<ul style="list-style-type: none"> • To ensure effective communication • To set up payment processes and contractual agreements

PART 5. How data is stored and who has access to it

Sound and Music stores different types of data for different time periods. Below is an overview of how long data is stored for and the intended usage.

Category of individual	How stored and for how long	Who has access
<p>Applicants to Sound and Music programmes (including composers and young composers, artists, performers, educators, children and young people)</p>	<p>Application Form:</p> <ul style="list-style-type: none"> • Stored on Typeform platform, then downloaded on to the organisation's secure server following the closure of the application period and deleted from Typeform. • Forms are also shared digitally with any external panellists, who are contractually required to keep the data secure and to delete the forms after their work for the organisation is completed. • No longer than 6 months after the end of the project <p>Equal Opportunities monitoring form</p> <ul style="list-style-type: none"> • Separated at point of submission from Application Form • As non-identifiable data, out of scope of GDPR 	<p>Application Forms:</p> <ul style="list-style-type: none"> • Named Sound and Music team members • Named members of the shortlisting panel <p>Equal Opportunities monitoring form</p> <ul style="list-style-type: none"> • All members of the organisation
<p>Participants in Sound and Music's programmes</p>	<p>Application Form:</p> <ul style="list-style-type: none"> • Stored on Typeform platform, then downloaded on to the organisation's secure server following the closure of the application period and deleted from Typeform. • For up to a two year period following the final evaluation of the participant's project <p>Marketing collateral:</p>	<p>Application Forms:</p> <ul style="list-style-type: none"> • As outlined above <p>Marketing collateral:</p> <ul style="list-style-type: none"> • Assigned Creative Project Leaders • Head of Artist Development • Head of Digital, Marketing and Communications

	<ul style="list-style-type: none"> • Typeform or Google Drive • Sound and Music server • Indefinitely unless otherwise requested or removed by the individual 	<ul style="list-style-type: none"> • Marketing and Insight Executive • Communication and Sales Coordinator • Administrator
<p>Featured composers and artists (including any profiled in the organisation's marketing materials or on its online platforms – Sound and Music, the British Music Collection, Minute of Listening, the Sampler)</p>	<p>Online subscriptions:</p> <ul style="list-style-type: none"> • Mailchimp • Indefinitely unless otherwise requested or removed by the individual <p>Online registration:</p> <ul style="list-style-type: none"> • Individual platforms • Indefinitely unless otherwise requested or removed by the individual <p>Marketing collateral:</p> <ul style="list-style-type: none"> • Typeform or Google Drive • Sound and Music server • Indefinitely unless otherwise requested or removed by the individual 	<p>Online subscriptions:</p> <ul style="list-style-type: none"> • Assigned Creative Project Leader • Head of Digital, Marketing and Communications • Marketing and Insight Executive • Communication and Sales Coordinator <p>Online registrations:</p> <ul style="list-style-type: none"> • As outlined above <p>Marketing collateral:</p> <ul style="list-style-type: none"> • Assigned Creative Project Leaders • Head of Artist Development • Head of Digital, Marketing and Communications • Marketing and Insight Executive • Communication and Sales Coordinator • Administrator
<p>Contributors and Subscribers (including users creating profiles on any of Sound and Music's online platforms, subscribers to newsletters and other e-communications)</p>	<ul style="list-style-type: none"> • As outlined above 	As outlined above
<p>Donors (including individual donors and individuals working for funding bodies)</p>	<ul style="list-style-type: none"> • Paypal • Salesforce • Mailchimp 	<ul style="list-style-type: none"> • Head of Development • Individual Coordinator • Communications and Sales Coordinator

	<ul style="list-style-type: none"> Indefinitely unless otherwise requested or removed by the individual 	
Applications for employment or Board membership	<p>Application Form:</p> <ul style="list-style-type: none"> Typeform No longer than 6 months after end of recruitment process <p>Equal Opportunities monitoring form</p> <ul style="list-style-type: none"> Separated at point of submission from application form As non-identifiable data, out of scope of GDPR 	<p>Application Form:</p> <ul style="list-style-type: none"> External HR Consultant Chief Executive Named Sound and Music team or board members Administrator Executive Assistant <p>Equal Opportunities:</p> <ul style="list-style-type: none"> All members of the organisation
Employees and Board members	<p>Conflict of Interest Declaration:</p> <ul style="list-style-type: none"> Sound and Music server No longer than 2 years after standing down from the Board <p>Personal Details Form:</p> <ul style="list-style-type: none"> Sound and Music server No longer than 2 years after termination of employment or Board membership <p>Equal Opportunities monitoring form</p> <ul style="list-style-type: none"> As non-identifiable data, out of scope of this policy and the GDPR regulation 	<p>Conflict of Interest Declaration:</p> <ul style="list-style-type: none"> Chief Executive Executive Assistant Board members Arts Council England <p>Personal Details Form:</p> <ul style="list-style-type: none"> Chief Executive Executive Assistant Finance Manager External HR consultant

<p>External advisers and suppliers (including partner organisations, steering group members, external selection panel members and advisory board members, patrons, freelance workers and other external providers)</p>	<p>Contracts and agreements:</p> <ul style="list-style-type: none"> • Sound and Music server • For up to a five year period 	<p>Contracts and agreements:</p> <ul style="list-style-type: none"> • Senior Management Team • Chief Executive • Named Sound and Music team members
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PART 6. Privacy Policy

Sound and Music has the following **Privacy Policy** which is clearly available across all of its platforms and websites.

Sound and Music is committed to protecting your personal information. We want our services to be safe and enjoyable environments for everyone. This section answers some important questions about how we can collect, use and protect your personal details.

When you interact with Sound and Music we sometimes receive personal information about you.

For example, if you write to us or sign up to a newsletter, you might tell us who you are, how we can contact you, where you live and what you think of us.

Information we may collect

Across Sound and Music's platforms the organisation may collect and process the following data about you:

- Information that you provide by filling in forms on our websites. This includes information provided at the time of registering to use our site, subscribing to our services, posting material and requesting further services. We may also ask you for information when you report a problem with our site
- If you contact us, we may keep a record of that correspondence
- We may also ask you to complete surveys that we use for research purposes, although you do not have to respond to them
- Details of your visits to platforms including but not limited to traffic data, location data, devices and other behavioural data

How we use your information

When using Sound and Music's platforms you authorise us to use your personal information for the following purposes, as outlined above in this policy:

- To the extent reasonably necessary to provide the services which are available through the website by us or our partners
- To enable us to review, develop and improve our services and provide you and other users with relevant information about our services (e.g. through a newsletter or a news alert)
To personalise the way Sound and Music content is presented to you (e.g. if you tell us your postcode we may use this information to customise our communications with you)

Your data protection choices

Subscribers can manage all their subscription options, including email notification preferences across Sound and Music's platforms, within their subscriber account settings. For example, should you wish, you can opt in or out of receiving direct marketing from us at any stage by deselecting the relevant box on your options page and saving the changes.

Sound and Music will not disclose your personal information to third parties for advertising or marketing purposes unless you specifically agree.

Security

Sound and Music has security measures in place to ensure as far as is reasonably possible that your personal information is protected and kept confidential. However, by submitting your personal information to us, you acknowledge that we cannot guarantee the security or confidentiality of your personal information as it may be compromised by unauthorised access, hardware or software failure or other relevant factors. If you would like to find out more about our security measures, please drop us a line at: info@soundandmusic.org

Cookies

Sound and Music uses cookies across its platforms for collecting user information from the website to allow us to assess the level of use of the website at any time and use in generating website statistics to enable us to review and develop our services.

Cookies may collect or store users' Internet Protocol addresses, which are automatically recognised by the webserver, and session information such as the duration of the visit and the type of browser used. Such information is only used where we use cookies and for system administration of the website and to compile statistics which we use to review use of the website. See all definitions of the above terminology below.

Acknowledgement

By using any of Sound and Music's platforms and website you acknowledge that you have read the terms of this privacy policy and that you consent to the collection of information from you and use of such information as described in the related policies.

Changes to our Privacy Policies

Any changes Sound and Music makes to any of our Privacy Policies in the future will be posted on the relevant platform and where appropriate notified to you by e-mail.

PART 7. Third Party Platforms

In order to deliver its programmes, produces and services Sound and Music uses 'Third Party' platforms; that are recognised and trusted and regularly reviews their delivery and methods.

Sound and Music aims to work with reputable services and those who share an open and transparent ethos.

PART 8. Key Risks

Sound and Music has identified the following potential risks which this **Data Protection Policy** is designed to address:

- Breach of confidentiality (information being accessed inappropriately)
- Insufficient clarity about the range of uses to which data will be used — leading to Data Subjects being insufficiently informed
- Failure to offer choice about data use when appropriate
- Breach of security by allowing unauthorised access
- Failure to establish efficient systems of managing changes leading to personal data being outdated
- Harm to individuals if personal data is not up to date

PART 9. Governance

Data protection, and the **Data Protection Policy**, are the responsibility of the [Data Protection Officer](#) and the [Chief Executive of Sound and Music](#).

Sound and Music's [Board of Trustees](#) recognises its overall responsibility for ensuring that the organisation complies with its legal obligations and reviews the Policy annually.

All staff and freelance parties are required to read, understand and accept this **Data Protection Policy** and apply them to any data they handle in the course of their work. Significant breaches of this Data Protection Policy will be handled under Sound and Music's disciplinary procedures.

PART 10. Confidentiality and disclosure requests

Where anyone within Sound and Music feels that it would be appropriate to disclose personal data for reasons not covered by the Data Protection Policy, or where an official disclosure request is received, this will only be done with the authorisation of the Chief Executive (or, in the absence of the Chief Executive, the Chair of Trustees). All such disclosures will be documented.

PART 11. Communication of the Policy

The **Data Protection Policy** is published on the Sound and Music website, and is available for all team members at induction and via the Staff Handbook.

PART 12. Personal data access requests

Sound and Music is committed to providing information about individuals' personal data and usage on request. The organisation will aim to provide any information within a 14 day period unless otherwise agreed.

Any personal data requests will be handled in the first instance by the [Data Protection Officer](#) Sound and Music will not charge for Data Protection requests.

All requests must adhere to the following:

- Personal data subject access requests must be in writing
- All staff and freelance parties are required to pass on anything which might be a subject access request to the Data Protection Officer without delay and within two working days of receiving the request at the most
- Where the individual making a subject access request is not personally known their identity will be verified before handing over any information
- The required information will be provided via email or post unless the applicant makes a specific request to be given supervised access in person
- Sound and Music will respond to all Personal data requests within 14 days

PART 13. Consent

Personal data and sensitive personal data will only be made public with the full and informed consent of the individuals, and identification may be requested by Sound and Music. (This includes photographs.)

Whenever data is used for any marketing purpose, this purpose will be made clear, and individuals will be given a clear opt out.

PART 14. Contact Sound and Music

Please address requests and questions about the Data Protection or Privacy Policy to:

<p>The Data Protection Officer Sound and Music Somerset House Strand London WC2R 1LA Email: info@soundandmusic.org</p>	<p>The Organisation for New Music and Sound (trading as Sound and Music)</p> <p>A company limited by guarantee registered in England under number 6581022</p> <p>Registered office: 3rd Floor South Wing Somerset House, Strand, London WC2R 1LA</p>
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