

SI

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# DATA PROTECTION POLICY



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## Policy Statement

Sporting Influence are required to process relevant personal data regarding coaches, volunteers, applicants, parents and pupils as part of its operation and shall take all reasonable steps to do so in accordance with this Policy.

Sporting Influence must obtain relevant personal data as part of its operation. This is explained as:

- Information obtained is done so solely to enable Sporting Influence to operate safely and efficiently.

The company director will endeavour to ensure that all personal data is processed in compliance with this Policy and the Principles of the Data Protection Act 1998. The Freedom of Information Act 2000 and the Protection of Freedoms Act 2012 are also relevant to parts of this policy.

Sporting Influence recognises The General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) adopted 27 April 2016 and the application date of 25 May 2018 and will comply with that directive.

## The Principles

Sporting Influence shall, so far as is reasonably practicable, comply with the Data Protection Principles contained in the Data Protection Act to ensure all data is:

- Secure
  - Fairly and lawfully processed
  - Processed for a lawful purpose
- Adequate, relevant and not excessive
  - Accurate and up to date
  - Not kept for longer than necessary
- Processed in accordance with the data subject's rights

## Procedures

### Sporting Influence retains the following data:

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#### Holiday Camps

- Camp Registration Forms - these include but are not limited to a child's name, parents name, emergency contacts, age, address, email, swimming ability, photo consent and relevant medical conditions.

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#### Coaches

- Information such as Names, DOB, Address, Contact details and bank details are kept for reasons such as in order to ensure safety to work or to pay Invoices.

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#### Schools/Child Care Providers

- Information such as contact names, phone numbers, emails and school or business address' are stored and shared with relevant coaches in order to allow them to contact or access schools.

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#### Photographs/Video footage

- Photo consent is given during the booking process for Sporting Influence holiday camps and can be found with such data. Any photography taken in schools during term time is done so in accordance with up to date school consent and all photographs are checked before leaving the school. To find out more regarding Sporting Influences Photo and Video consent please see the Photographic and Video Materials Policy.
- Any photographs or footage taken is kept on password protected storage and is stored in a locked compartment in the Sporting Influence Office.

## Data, Consent, Removal or Change

### What data we need and why we need it

This section tells you what personal data we may collect from you, why we need it when you use our services and what other personal data we may receive from other sources.

- Payment and transaction data
- We collect data you provide to us:
  - When you book your child on a camp
  - When you speak to us over the phone or via email
  - When you use the contact forms on our website
  - When you apply for a job with Sporting Influence
- When you get in touch on the Sporting Influence website
- Profile and usage data, including data we gather from the devices you use to connect to those services such as computers and mobile phones, using cookies (please see our separate cookies policy) and other internet tracking software.

We collect data from third parties we work with:

- Social networks
- Public information sources
- Agents working on our behalf

### Data We Collect About You

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

- Identity data – name, title, date of birth, gender, nationality and school details of those buying or using our services.
  - Contact data – location, postcode, email address or telephone numbers.
- Transaction data – details of the products and services you have purchased from us, including date and time of booking and spend in relation to that transaction.
- Technical data – 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 our website.
- Profile data – purchases or orders made by you, your interests, preferences, feedback and survey responses, preferences about the use of the services (including whether you are interested in certain events that we offer)

- Usage data – information about how you use our website and services.
  - Marketing and communications data – your preferences in receiving marketing from us and your communication preferences.
- Employment information – Previous employment history, experience, relevant qualifications, work eligibility and references.
- Criminal conviction and offence information – In order to work for us, you will be required to undertake an enhanced Disclosure check.
- Health and Medical Information – We will collect any relevant medical or health information of children that attend our camps, including first aid preferences. We collate medical information, where supplied, for staff applying for select roles and employees.

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 any special categories of personal data about you, outside of those stated above. This includes details about race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data).

## How We Use Your Personal Information

We are only allowed to use personal information about you if we have a legal basis to do so, and we are required to tell you what that legal basis is. In some circumstances we can use your personal information if it is in our legitimate interest to do so, provided that we have told you what that legitimate interest is. A legitimate interest is when we have a business or commercial reason to use your information which, when balanced against your rights, is justifiable. Sporting Influence will by the request of a parent, remove personal data held on a child and will agree a specific agreement on how their data is to be processed on request. If a parent wishes to revoke or change consent with regards to club attendance or permission to take and use photos this can be done at any time by contacting the company director.

## Processing your data using our Legitimate Interests.

We have a number of lawful reasons that we can use and/or process your personal data. One of these lawful reasons is called 'legitimate interests'. Broadly speaking legitimate interests means that we can process your personal information if we have a genuine and legitimate reason and we are not harming any of your rights and interests.

### **Below are some reasons as to why we may use your details:**

- To improve and enhance our services: When we process your data, we will use it to benefit you and to make your experience better and to improve our products and services.
- Your best interest: Processing your information to protect you against fraud when transacting on our website, and to ensure our websites and systems are secure.
- Personalisation: Where the processing enables us to enhance, modify, personalise or otherwise improve our services/communications for the benefit of our customers.
- Analytics: To process your personal data for the purposes of customer analysis, assessment, profiling and direct marketing, on a personalised or aggregated basis, to help us with our services and to provide you with the most relevant information as long as this does not harm any of your rights and interests.
- Research: To determine the effectiveness of promotional campaigns and advertising and to develop our products, services, systems and relationships with you.
- Direct Marketing: We may send postal and email marketing. We will also make sure our postal and email marketing is relevant for you and tailored to your interests. You also have the right to opt-out of receiving this information at any time by contacting us or updating your preferences.
- When we process your personal information for our legitimate interests, we will consider and balance any potential impact on you and your rights under data protection and any other relevant law. Our legitimate business interests do not automatically override your interests – we will 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).

## Third party links

Our 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 or policy of every website you visit.

### **Transferring your personal information outside the EEA**

The EEA is the European Economic Area, which consists of the EU Members States, Iceland, Liechtenstein and Norway. If we transfer your personal information outside the EEA, we have to tell you.

We transfer your data outside of the EEA in very limited circumstances. We have ensured those organisations that we share your data with look after it securely and have appropriate safeguards, as required by GDPR in place. These are organisations are:

- “Facebook” (Facebook Inc, 1 Hacker Way, Menlo Park, CA 94025, USA) – Facebook provide a social media platform. – Facebook provide the following safeguard EU-US Privacy Shield and an appointed EU representative in Ireland (Facebook Ireland Limited, 4 Grand Canal Square, Grand Canal Harbour, Dublin 2 Ireland)
- “Google” – (Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA) – Google provide an analytics service – Google provide the EU-US Privacy Shield safeguard
- “MailChimp” (The Rocket Science Group LLC, 675 Ponce de Leon Avenue NE, Suite 5000, Atalanta, GA 30308, USA) – Provide our email communication platform – MailChimp provide the EU-US Privacy Shield safeguard
- “Survey Monkey” (The Rocket Science Group LLC, 675 Ponce de Leon Avenue NE, Suite 5000, Atalanta, GA 30308, USA) – Provide our survey platform – Survey Monkey provide the EU-US Privacy Shield safeguard
- “Twitter” - (1355 Market St 900, San Francisco, CA 94103, USA) - Twitter provide a social media platform.

If you would like to know more about the EU-US Privacy Shield, please [Click Here](#)



## External Processors

Sporting Influence must ensure that data processed by external processors, for example, service providers, Cloud services including storage, web sites etc. are compliant with this policy and the relevant legislation.

## Secure Destruction

When data held in accordance with this policy is destroyed, it must be destroyed securely in accordance with best practice at the time of destruction.

## Retention of Data

Sporting Influence may retain data for differing periods of time for different purposes as required by statute or best practices. Other statutory obligations, legal processes and enquiries may also necessitate the retention of certain data. Sporting Influence may store some data such as registers and photographs, exam results, achievements, books and works etc. indefinitely in its archive.

## Complaints

Complaints will be dealt with in accordance with the Sporting Influence Complaints Policy. Complaints relating to information handling may be referred to the Information Commissioner (the statutory regulator).

## Review

This policy will be reviewed as it is deemed appropriate, but no less frequently than every 2 years. The policy review will be undertaken by the The Director and a Sporting Influence member of staff.

## Contacts

If you have any enquires in relation to this policy, please contact the David Moss on 01423 522999 who will also act as the contact point for any subject access requests.

## Rights of access to information

There are two distinct rights of access to information held about pupils.

1. Under the Data Protection Act 1998 any individual has the right to make a request to access the personal information held about them.
2. The right of those entitled to have access to curricular and educational records as defined within the Education Pupil Information (Wales) Regulations 2004.

These procedures relate to subject access requests made under the Data Protection Act 1998.

## Actioning a Subject Access Request

1. Requests for information must be made in writing; which includes email, and must be addressed to the Director. If the initial request does not clearly identify the information required, then further enquiries will be made.
2. The identity of the requestor must be established before the disclosure of any information, and checks should also be carried out regarding proof of relationship to the child. Evidence of identity can be established by requesting production of

- P45/P60
- Passport
- Driving licence
- Utility bills with the current address
- Birth / Marriage certificate
- Credit Card or Mortgage statement.

*This list is not exhaustive.*

3. Any individual has the right of access to information held about them. However with children, this is dependent upon their capacity to understand (normally age 12 or above) and the nature of the request. The Director should discuss the request with the child and take their views into account when making a decision. A child with competency to understand can refuse to consent to the request for their records. Where the child is not deemed to be competent an individual with parental responsibility or guardian shall make the decision on behalf of the child.

4. The response time for subject access requests, once officially received, is 40 days (not working or school days but calendar days, irrespective of school holiday periods). However the 40 days will not commence until after clarification of information sought.
5. The Data Protection Act 1998 allows exemptions as to the provision of some information; therefore all information will be reviewed prior to disclosure.
6. Third party information is that which has been provided by another, such as the Police, Local Authority, Health Care professional or another school. Before disclosing third party information consent should normally be obtained. There is still a need to adhere to the 40 day statutory timescale.
7. Any information which may cause serious harm to the physical or mental health or emotional condition of the pupil or another should not be disclosed, nor should information that would reveal that the child is at risk of abuse, or information relating to court proceedings.
8. If there are concerns over the disclosure of information then additional advice should be sought.
9. Where redaction (information blacked out/removed) has taken place a full copy of the information provided should be retained in order to establish, if a complaint is made, what was redacted and why.
10. Information disclosed should be clear, thus any codes or technical terms will need to be clarified and explained. If information contained within the disclosure is difficult to read or illegible, then it should be retyped.
11. Information can be provided by Sporting Influence with a member of staff on hand to help and explain matters if requested, or provided at face to face handover. The views of the applicant should be taken into account when considering the method of delivery.

## **Your Rights**

### **Right to be Informed**

We will always be transparent in the way we use your personal data. You will be fully informed about the processing through relevant privacy notices.

## Right to Access

You have a right to request access to the personal data that we hold about you and this should be provided to you, under the General Data Protection Regulation (GDPR), within 30 days. If you would like to request a copy of your personal data, please contact us in writing.

## Right to Rectification

We want to make sure that the personal data we hold about you is accurate and up to date. If any of your details are incorrect, please let us know and we will amend them.

## Right to Erasure

You have the right to have your data 'erased' in the following situations:

- Where the personal data is no longer necessary in relation to the purpose for which it was originally collected or processed.
  - When you withdraw consent.
- When you object to the processing and there is no overriding legitimate interest for continuing the processing.
  - When the personal data was unlawfully processed.
- When the personal data has to be erased in order to comply with a legal obligation.

If you would like to request erasure of your personal data, please contact us in writing. Please note that each request will be reviewed on a case by case basis and where we have a lawful reason to retain the data, it may not be erased.

## Right to Restrict Processing

You have the right to restrict processing in certain situations such as:

- Where you contest the accuracy of your personal data, we will restrict the processing until you have verified the accuracy of your personal data.
- When processing is unlawful, and you oppose erasure and request restriction instead.
- When Sporting Influence no longer need the personal data, but you require the data to establish, exercise or defend a legal claim.

## The Right to Data Portability

You have the right to data portability in certain situations. You have the right to obtain and reuse your personal data for your own purposes via a machine-readable format, such as a .CSV file. If you would like to request portability of your personal data, please contact us by writing to us this only applies:

- To personal data that you have provided to us.
- Where the processing is based on your consent or for the performance of a contract and when processing is carried out by automated means.

## The Right to Object

You have the right to object to Sporting Influence processing your data in these circumstances:

- Where the processing is for direct marketing. Remember you can opt out of email communication at any time via the unsubscribe feature on our emails.
- Where the processing is based on legitimate interests.
- Where the processing is for purposes of scientific/historical research and statistics.

## Complaints

Complaints about the above procedures should be made to the Director of Sporting Influence, if your complaint is regarding this person then please contact the child Welfare Officer (Details found on Safeguard Policy) who will decide whether it is appropriate for the complaint to be dealt with in accordance with the Sporting Influence's complaint procedure. Complaints which are not appropriate to be dealt with through the complaint procedure can be dealt with by the Information Commissioner.

## Contacts

If you have any queries or concerns regarding these policies/procedures then please contact Mr David Moss, Director, 01423 522999.

Further advice and information can be obtained from the Information Commissioner's Office.