

Royals AllStars Cheerleading Club (R AllStars)



General Data Protection Regulation Policy

1. Aims

Our club aims to ensure that all personal data collected about staff, athletes, parents, visitors and other individuals is stored and processed in accordance with the General Data Protection Regulation (GDPR) and the expected provisions of the Data Protection Act 2018 (DPA 2018) as set out in the Data Protection Bill.

This policy applies to all personal data, regardless of whether it is in paper or electronic format.

We believe that protecting the privacy of our staff and athletes - regulating their safety through data management, control, and evaluation - is vital to both club and individual progress. The club collects and processes personal data from athletes, parents, and staff in order to support coaching and learning effectively whilst upholding the safeguarding and safety priorities of the club. It also helps us to monitor and report on athlete and team progress.

We take responsibility for ensuring that any data we collect and process is used correctly and only as is necessary; the club will keep parents/athletes fully informed of the how data is collected, what is collected, and how it is used. Competition results, attendance and registration records and any relevant medical information are examples of the type of data that the club needs.

2. Legislation and guidance

This policy meets the requirements of the GDPR and the expected provisions of the DPA 2018. It is based on guidance published by the Information Commissioner's Office (ICO) on the GDPR and the ICO's code of practice for subject access requests.

3. The data controller

Our club processes personal data relating to parents, athletes, staff, visitors and others, and therefore is a data controller.

4. Roles and responsibilities

This policy applies to all staff employed by our club, and to external organisations or individuals working on our behalf. Staff who do not comply with this policy may face disciplinary action.

5. Data protection officer

R AllStars does not have a DPO as does not meet the necessary requirements.

6. Data Controller

The Programme Director acts as the representative of the data controller on a day-to-day basis.

7. All staff

Staff are responsible for:

- Collecting, storing and processing any personal data in accordance with this policy
- Informing the club of any changes to their personal data, such as a change of address
- Contacting the Programme Director in the following circumstances:
 - With any questions about the operation of this policy, data protection law, retaining personal data or keeping personal data secure
 - If they have any concerns that this policy is not being followed
 - If they are unsure whether or not they have a lawful basis to use personal data in a particular way
 - If they need to rely on or capture consent, draft a privacy notice, deal with data protection rights invoked by an individual, or transfer personal data outside the European Economic Area

- If there has been a data breach
- Whenever they are engaging in a new activity that may affect the privacy rights of individuals
- If they need help with any contracts or sharing personal data with third parties

8. Data protection principles

The GDPR is based on data protection principles that our club must comply with.

The principles say that personal data must be:

- Processed lawfully, fairly and in a transparent manner
- Collected for specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary to fulfil the purposes for which it is processed
- Accurate and, where necessary, kept up to date
- Kept for no longer than is necessary for the purposes for which it is processed
- Processed in a way that ensures it is appropriately secure

This policy sets out how the club aims to comply with these principles.

9. Collecting personal data

9.1 Lawfulness, fairness and transparency

We will only process personal data where we have one of six 'lawful bases' (legal reasons) to do so under data protection law:

- The data needs to be processed so that the club can **fulfil a contract** with the individual, or the individual has asked the school to take specific steps before entering into a contract
- The data needs to be processed so that the club can **comply with a legal obligation**
- The data needs to be processed to ensure the **vital interests** of the individual e.g. to protect someone's life
- The data needs to be processed so that the club, as a public authority, can perform a task **in the public interest**, and carry out its official functions
- The data needs to be processed for the **legitimate interests** of the club or a third party (provided the individual's rights and freedoms are not overridden)
- The individual (or their parent/carer when appropriate in the case of a pupil) has freely given clear **consent**

For special categories of personal data, we will also meet one of the special category conditions for processing which are set out in the GDPR and Data Protection Act 2018.

Whenever we first collect personal data directly from individuals, we will provide them with the relevant information required by data protection law.

9.2 Limitation, minimisation and accuracy

We will only collect personal data for specified, explicit and legitimate reasons. We will explain these reasons to the individuals when we first collect their data.

If we want to use personal data for reasons other than those given when we first obtained it, we will inform the individuals concerned before we do so, and seek consent where necessary.

Staff must only process personal data where it is necessary in order to do their jobs.

When staff no longer need the personal data they hold, they must ensure it is deleted or anonymised. This will be done in accordance with the Information and Records Management Society guidance.

10. Sharing personal data

We will not normally share personal data with anyone else, but may do so in the instances which are made clear to all members when they join with the club and give us their data (i.e an example of this is a competition provider.)

We will also share personal data with law enforcement and government bodies where we are legally required to do so, including for:

- The prevention or detection of crime and/or fraud
- The apprehension or prosecution of offenders
- In connection with legal proceedings
- Where the disclosure is required to satisfy our safeguarding obligations
- Research and statistical purposes, as long as personal data is sufficiently anonymised or consent has been provided

We may also share personal data with emergency services and local authorities to help them to respond to an emergency that affects any of our pupils or staff.

11. Subject access requests and other rights of individuals

11.1 Subject access requests

Individuals have a right to make a 'subject access request' to gain access to personal information that the club holds about them. This includes:

- Confirmation that their personal data is being processed
- Access to a copy of the data
- The purposes of the data processing
- The categories of personal data concerned
- Who the data has been, or will be, shared with
- How long the data will be stored for, or if this isn't possible, the criteria used to determine this period
- The source of the data, if not the individual
- Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual

Subject access requests must be submitted via the Subject Access Request form, Appendix 1 of this policy, and submitted via email..

11.2 Children and subject access requests

Personal data about a child belongs to that child, and not the child's parents or carers. For a parent or carer to make a subject access request with respect to their child, the child must either be unable to understand their rights and the implications of a subject access request, or have given their consent.

Children below the age of 12 are generally not regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of pupils at our club may be granted without the express permission of the pupil. This is not a rule and a pupil's ability to understand their rights will always be judged on a case-by-case basis.

When responding to requests, we:

- May ask the individual to provide 2 forms of identification
- May contact the individual via phone to confirm the request was made
- Will respond without delay and within 1 month of receipt of the request
- Will provide the information free of charge
- May tell the individual we will comply within 3 months of receipt of the request, where a request is complex or numerous. We will inform the individual of this within 1 month, and explain why the extension is necessary

We will not disclose information if it:

- Might cause serious harm to the physical or mental health of the athlete or another individual
- Would reveal that the athlete is at risk of abuse, where the disclosure of that information would not be in the child's best interests
- Is contained in adoption or parental order records
- Is given to a court in proceedings concerning the child

If the request is unfounded or excessive, we may refuse to act on it, or charge a reasonable fee which takes into account administrative costs.

A request will be deemed to be unfounded or excessive if it is repetitive, or asks for further copies of the same information.

When we refuse a request, we will tell the individual why, and tell them they have the right to complain to the ICO.

11.3 Other data protection rights of the individual

In addition to the right to make a subject access request (see above) individuals also have the right to:

- Withdraw their consent to processing at any time
- Ask us to rectify, erase or restrict processing of their personal data, or object to the processing of it (in certain circumstances)
- Prevent use of their personal data for direct marketing
- Challenge processing which has been justified on the basis of public interest
- Request a copy of agreements under which their personal data is transferred outside of the European Economic Area
- Object to decisions based solely on automated decision making or profiling (decisions taken with no human involvement, that might negatively affect them)
- Prevent processing that is likely to cause damage or distress
- Be notified of a data breach in certain circumstances
- Make a complaint to the ICO
- Ask for their personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances)

12. Photographs and videos

As part of our club activities, we may take photographs and record images of individuals within our club.

We will obtain written consent from parents/carers for photographs and videos to be taken of their child for communication, marketing and promotional materials.

Uses are included on the social media, video footage and photography consent form.

Consent on our public pages can be refused or withdrawn at any time.

13. Data protection by design and default

We will put measures in place to show that we have integrated data protection into all of our data processing activities, including:

- Only processing personal data that is necessary for each specific purpose of processing, and always in line with the data protection principles set out in relevant data protection law
- Integrating data protection into internal documents including this policy, any related policies and privacy notices
- Regularly training members of staff on data protection law, this policy, any related policies and any other data protection matters; we will also keep a record of attendance
- Regularly conducting reviews and audits to test our privacy measures and make sure we are compliant
- Maintaining records of our processing activities, including:

- For the benefit of data subjects: making available the name and contact details of our club. Communicating how we use and process their personal data (via our privacy notices)

14. Data security and storage of records

We will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and against accidental or unlawful loss, destruction or damage.

In particular:

- Paper-based records and portable electronic devices, such as laptops and hard drives that contain personal data are kept in a locked facility
- The athlete database and other personal data are stored on files which are password protected
- Staff who store personal information on their personal devices are expected to follow the same security procedures as above
- Where we need to share personal data with a third party, we carry out due diligence and take reasonable steps to ensure it is stored securely and adequately protected (see section 8)

15. Disposal of records

Personal data that is no longer needed will be disposed of securely. Personal data that has become inaccurate or out of date will also be disposed of securely, where we cannot or do not need to rectify or update it.

For example, we will shred or incinerate paper-based records, and overwrite or delete electronic files.

16. Personal data breaches

The club will make all reasonable endeavours to ensure that there are no personal data breaches.

In the unlikely event of a suspected data breach, we will report the data breach to the ICO within 72 hours. Such breaches in a club context may include, but are not limited to:

- Safeguarding information being made available to an unauthorised person
- The theft of a laptop containing non-encrypted personal data about athletes

17. Training

All staff are provided with data protection training as part of their induction process (laid out in the Coaching Handbook).

Data protection will also form part of continuing professional development, where changes to legislation, guidance or the club's processes make it necessary.

18. Monitoring arrangements

The Programme Director is responsible for monitoring and reviewing this policy.

This policy will be reviewed and updated if necessary when the Data Protection Bill receives royal assent and becomes law (as the Data Protection Act 2018) – if any changes are made to the bill that affect our club's practice. Otherwise, or from then on, this policy will be reviewed every 3 years and shared with all staff.

Appendix 1: Subject access request

[Your full address]

[Phone number]

[The date]

Subject Access Request

This is a request asking you to supply the information about me that I am entitled to under the General Data Protection Regulation (GDPR). This request is being made so I can be aware of the information you are processing about me, and verify the lawfulness of the processing.

Here is the necessary information you will need to for my request to be processed:

Name	
Relationship with the club	
Correspondence address	
Contact number	
Email address	
Details of the information requested	Please provide me with: <i>Insert details of the information you are requesting to enable us to locate the specific information. Please be as precise as possible, for example:</i> <ul style="list-style-type: none">• <i>Your child's medical records</i>

If you need any more information from me please let me know as soon as possible.

Please bear in mind that under the GDPR you cannot charge a fee to provide this information, and in most cases, must supply me with the information within 1 month.

Yours sincerely,

Your name