



# Inverness Canoe Club Data Protection Policy

Purpose of policy: This policy is to support Inverness Canoe Club in meeting its legal obligations under the Data Protection Act 2018.

<b>Introduction</b>	<b>2</b>
<b>Status of the Policy</b>	<b>3</b>
<b>The meaning of Data Protection Terms</b>	<b>4</b>
<b>Data Protection Principles</b>	<b>5</b>
<b>Dealing with Subject Access Requests</b>	<b>5</b>
<b>Dealing with requests to be forgotten</b>	<b>5</b>
<b>Dealing with breaches of personal data</b>	<b>6</b>
<b>Complaints</b>	<b>7</b>
<b>General</b>	<b>7</b>



## **Introduction**

As individuals, we want to know that personal information about ourselves is handled properly, and we and others have specific rights in this regard. In the course of its activities, Inverness Canoe Club will collect, store and process personal information, and it recognises that the correct and lawful treatment of this information will maintain confidence in the organisation and will provide for successful operations.

The types of personal information that Inverness Canoe Club may be required to handle include information about:

- Members (Inverness Canoe Club and individuals connected with Delivery Partners).
- Where applicable, guardians of those listed above.
- Current, past and prospective employees, officers, board trustees, members, volunteers, Paddle Scotland representatives, advisers, consultants, contractors and agents.
- Those individuals who have undertaken training or qualifications through Inverness Canoe Club, Paddle Scotland or partner organisations.
- Coaches, leaders, paddlesport instructors and course providers registered with Inverness Canoe Club and/ or Paddle Scotland.
- Suppliers and sponsors; and others with whom it communicates. The personal information, which may be held on paper or on a computer or other media, is subject to certain legal safeguards.



## **Status of the Policy**

This policy sets out Inverness Canoe Club's policy on data protection and specifies how Inverness Canoe Club will comply with the current legislation regarding the receiving, storage, processing, retention and disposal of personal information.

This policy applies to all those who process data within Inverness Canoe Club. For employees it is a condition of employment.

Any breach of the policy will be taken seriously and may result in disciplinary action. Negligent or deliberate breaches could also result in personal criminal liability.

Any employee, board trustee, volunteer, Inverness Canoe Club representative, adviser, consultant, contractor or agent who considers that the policy has not been followed in respect of personal information about themselves or others should raise the matter with the Inverness Canoe Club Data Protection Officer in the first instance.

## The meaning of Data Protection Terms

**Personal data** means any information relating to an identified or identifiable natural person (a data subject)

- For example, name, address, date of birth or email address of members, athletes, coaches, participants, employees, volunteers or parents

**Processing** means any operation performed on personal data (including automated operations), including collecting, storing, consulting, using, disclosing, amending, deleting, etc.

- For example, asking individuals to complete a form online, inputting their information into a database, sending communications, etc.

**Special categories** of personal data means data revealing a natural person's:

- Racial or ethnic origin
- Political opinions, religious or philosophical beliefs
- Trade union membership
- Genetic or biometric data for the purpose of uniquely identifying a natural person
- Data concerning health
- Data concerning a natural person's sex life or sexual orientation

**Controller** means the person who determines the purposes and means of processing personal data – this is Inverness Canoe Club. Where an organisation is required by law to process personal data, it must retain controller responsibility.

**Processor** means the person who processes personal data on behalf of the controller. For example, any suppliers who administer any systems for Inverness Canoe Club – such as IT/other service providers.

## **Data Protection Principles**

Anyone processing personal data must comply with the eight principles of good practice. These provide that personal data must be:

1. Processed fairly and lawfully
2. Processed for limited purposes and in an appropriate way
3. Adequate, relevant and not excessive for the purpose
4. Accurate
5. Not kept longer than necessary for the purpose
6. Processed in line with data subjects' rights
7. Secure
8. Not transferred to people or organisations situated in countries without adequate protection

## **Dealing with Subject Access Requests**

Data subjects can raise a Subject Access Request in respect of data that an organisation holds concerning them. The UK General Data Protection Regulation (UK GDPR) allows a month to comply with this request and there is normally no charge although there is a right to refuse or charge for requests that are manifestly unfounded or excessive. Data subjects can request information to be supplied electronically in a commonly used format rather than in printed form.

If a request is refused the individual must be told the reason for refusal.

## **Dealing with requests to be forgotten**

Under the UK GDPR, subject to certain conditions being met, an individual has the right to have their data erased. If such a request is received from an individual, Inverness Canoe Club as the Data Controller, must assess the request in the context of the

personal data that is held and the needs that exist to retain data including legal, commercial, contractual and other factors. In some circumstances, whilst it will be possible to erase some data it may not be possible to erase all data about an individual due to these considerations.

### **Dealing with breaches of personal data**

Under the UK GDPR, Inverness Canoe Club, as a Data Controller, is under obligation to maintain a breach register where all data breaches, no matter how trivial, are recorded and monitored.

For serious data breaches, where the breach is likely to result in a 'risk to the rights and freedoms of individuals', the breach must be reported to the ICO within 72 hours of becoming aware of the breach and the data subject notified without undue delay.

If a volunteer or employee becomes aware of a loss of personal data or a potential breach of security of data, they have a legal responsibility to report this to the Inverness Canoe Club Data Protection Officer immediately:

- This can be reported to the Inverness Canoe Club Data Protection Officer by emailing: **dpo@invernesscc.org.uk**
- The volunteer/employee should try to get the data back:
  - If they have e.g. sent data in error via email, they should contact the recipient and request deletion/safe return of the data.
  - If they have e.g. mislaid paper/documents containing personal data they should retrace their steps and do what they can to recover the missing documents
  - If they suspect that someone has accessed data through unauthorised access to an electronic device (computer/tablet/smartphone/online system) they should pass as much information to the Inverness Canoe Club Data Protection Officer as possible.
  - If an electronic device (computer/tablet/smartphone) has been stolen this should be reported to the Police as well as to the Inverness Canoe Club Data Protection Officer.



The Inverness Canoe Club Data Protection Officer will:

- Log the breach in the Inverness Canoe Club Data Breach Register
- Investigate the circumstances that gave rise to the breach
- Quantify the data that has been breached and the likely impact of the breach
- Notify the ICO of the breach within 72 hours (where required by law)
- Where there is “a high risk to the rights and freedoms of individuals” notify the data subject(s) concerned without undue delay
- Investigate how the breach occurred and review/revise procedures and/or arrange additional training in order to reduce the risk of future data breaches

### **Complaints**

Any complaints arising concerning Inverness Canoe Club’s handling of data should be raised via the Inverness Canoe Club’s Complaints Policy – available on the Inverness Canoe Club’s website and by contacting Inverness Canoe Club.

### **General**

- This policy will be reviewed annually or more frequently should circumstances require in order to maintain its currency and relevance with periodic reports to the Inverness Canoe Club’s Board of Trustees on the implementation and operation of the policy.
- Any questions or concerns about the interpretation or operation of this policy should be taken up in the first instance with the Inverness Canoe Club Chair.