HENLEY ROWING CLUB

Data Protection Policy

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Overview

The Data Protection Act 1998 (DPA) puts various obligations on "Data Controllers", being people or organisations that control the "processing" of "personal data". For all intents and purposes "personal data" in this sense means "any information about a living person" and a "processing" means "doing anything with it". It applies to all Data Controllers, but gives various limits and exemptions in specific cases.

Henley Rowing Club ("the Club") is a Data Controller of data relating to members, parents of juniors, competition entrants and those caught on our CCTV.

This policy is mainly an explanatory document which covers some information and obligations imposed by the DPA.

A brief summary

Some Definitions

The Data Protection Act (DPA) has a bad reputation, because it isn't generally understood and is widely used as an excuse for all sorts of odd behaviour by companies. The DPA is quite complex, but can be reduced to some key principles, which are governed by a few definitions:

"data" - any information being processed by a machine or stored in structured paper filing (so note that since 1998 the old excuse of "nothing is on computer" isn't enough)

"personal data" – any data about a living person from which they can be identified, either using just that information or in conjunction with other information you may have.

"sensitive personal data" – personal data about one of the sensitive topics – which for us means (a) health/disability information and (b) any allegations of criminal wrongdoing (in relation to child protection issues, most likely).

"data controller" – the person who controls how personal data is used
"data processor" – someone who carries out the data controller's written instructions
"data subject" – the person who the "personal data" is about

The principles

Data Controllers must abide by 8 "data protection principles", which can be paraphrased as:
1. Data has to be processed fairly and lawfully, and only if you can find a justification from the list (in Schedule 2) and in the case of sensitive personal data if you can also find a reason from another list (Schedule 3).
2. You have to say why you are collecting personal data, and only use it for those reason(s). Using it for other reasons is not allowed.
3. You should only collect the data you need, not non-essential things, and process it only to the degree you need to.
4. The data has to be accurate and kept up to date.
5. The data shouldn't be kept longer than it is needed.
6. The data should be processed in accordance with data subject's rights under the DPA (see below).

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7. The data should be kept safely, and processes put in place to ensure this.
8. Data should not be sent outside the EEA (a group of countries consisting of the EU and a couple of others).

There is other detail in the DPA, but those are the core requirements. The two lists (Schedule 2, Schedule 3) are quite long and detailed, but the important parts are that if the person involved has given informed consent, the processing will be OK, as will processing needed to protect them or carry out contract or other legal obligations. The protection element can be used to pass medical information on to coaches or medical staff.

Registration

Data Controllers must register with the Information Commissioner unless they fall within an exemption. Failure to do so is a criminal offence. The Club is registered (A8150250) and the registration is maintained by the Club Secretary on behalf of the Committee.

Rights of data subjects

The European law behind the DPA was all about preventing corporate and government misuse of databases and helping the citizen control what Big Brother knew about them, so it put various rights in place for us, including:

- The right to know if your data is being processed
- The right to be given a copy of data that is held
- Rights in relation to your credit ratings
- The right to prevent processing that causes alarm/distress
- The right to correct data held about you
- The right to prevent direct marketing (opting out of junk mail but also potentially of opting out of club information about future events etc)

Exemptions and limitations

There are limits to the DPA. Some were only temporary, and most do not allow you to ignore the DPA altogether.

It is not an exemption to say that the records are all on paper. That was an exemption prior to 1998 and during a transition period.. It is not an exemption that people have signed the membership application form – they have to consent to specific processing.

Club Data

Database

The main Club data is the Club membership database, which contains details of members, past members, parents, people who have made enquiries, done learn to row courses and more.

This data is collated by the Club Manager and the Membership Secretary and can be accessed by relevant Committee members when required.The number of people given this access will be kept to the minimum.

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Data from the database should only be used for the purposes for which it was collected. People who make website enquiries are automatically added to groups, which makes it easier to delete their data over time.

Member data is kept until a few years after membership ceases as sometimes members return.

Parent Data

Data about parents is held by the Junior Parents Group, junior coaches and the Club database. It should only be used for Club purposes.

Other clubs data

Data about members of other clubs should not be stored in the Club database.

Volunteers

Volunteers who handle club data should sign the volunteers' declaration form, if not already a member so as to bind them to our policies.