



NEWPORT ACES BASKETBALL CLUB

***NABC***

***GDPR/Data***

***Policy.***

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## **Policy statement**

Newport Aces Basketball Club holds, manages, and uses individual's data as part of the day to day running of the Club. Newport Aces Basketball Club is committed to ensuring that personal data is collected, stored, and used in compliance with the General Data Protection Regulations 2018, commonly referred to as GDPR. This policy clearly explains the procedures in place at Newport Aces Basketball Club in order to comply with GDPR. This policy does not form part of any contract and Newport Aces Basketball Club may update it at any time.

## **Procedure**

### Legal framework

The General Data Protection Regulations 2018 replace the previous Data Protection Act 1998 and provides individuals with more rights in relation to their personal data, whilst at the same time increasing the responsibility of organisations to keep personal data secure and only use it for its intended purpose. The legislation uses specific terminology. This is explained in the Appendix. In the event of queries on any aspect of GDPR, full information from the ICO is available [here](#) .

### Responsibility

Everyone within Newport Aces Basketball Club has a personal responsibility for ensuring compliance with GDPR, but Deborah Green, club Welfare Officer has overall responsibility for data protection and adhering to the legislation.

### Principles under GDPR

Newport Aces Basketball Club will adhere to the 7 key principles of the GDPR:

1. Lawfulness, fairness, and transparency: Newport Aces Basketball Club will process personal data lawfully, fairly and in a transparent manner. Specifically, Newport Aces Basketball Club will:
  - Carry out and regularly review a Data Audit which identifies the data currently processed, identifies the purpose and appropriate lawful basis (or bases) for

the data processing, and any additional conditions required for processing special category data or criminal offence data.

- Consider how the processing may affect individuals and will justify any adverse impact.
- Complete a Data Protection Impact Assessment for any type of processing which is likely to be high risk.
- Only handle personal data in ways that people would reasonably expect or be able to explain why any unexpected processing is justified.

2. Purpose limitation: Newport Aces Basketball Club will collect data for specified, explicit and legitimate purposes and will not further process it in a manner that is incompatible with those purposes. Specifically, Newport Aces Basketball Club will:

- Identify its purposes for processing in the Data Audit.
- Provide details on this in a privacy notice for individuals.
- Regularly review processing and update documentation as necessary.
- Check that, if personal data is to be used for a new purpose other than a legal obligation or function set out in law, this is compatible with the original purpose or get specific consent for the new purpose.

3. Data minimisation: Newport Aces Basketball Club will ensure that data is adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed. Specifically, Newport Aces Basketball Club will:

- Only collect personal data needed for specified purposes.
- Have sufficient personal data to properly fulfil those purposes.
- Periodically review the data held and delete anything not needed.

4. Accuracy: Newport Aces Basketball Club will ensure that data is accurate and, where necessary, kept up to date. Specifically, Newport Aces Basketball Club will:

- Have appropriate processes in place to check the accuracy of the data created or collected and record the source of data collected.

- Identify review dates and update data as necessary.
  - Take reasonable steps to ensure that inaccurate personal data is erased or corrected without delay.
  - Clearly identify any mistakes as such if a mistake needs to be kept (e.g., as part of an audit trail).
  - Clearly identify any matters of opinion, and where appropriate whose opinion it is and any relevant changes to the underlying facts.
5. Storage limitation: Newport Aces Basketball Club will keep personal data for no longer than is necessary for the purposes for which the personal data are processed. Specifically, Newport Aces Basketball Club will:
- Know what personal data is held and why it is needed via the Data Audit.
  - Carefully consider and be able to justify how long personal data is kept.
  - Identify standard retention periods where possible.
  - Regularly review information and erase or anonymise personal data when it is no longer needed.
  - Have appropriate processes in place to comply with individuals' requests for erasure under 'the right to be forgotten'.
6. Integrity and confidentiality: Newport Aces Basketball Club will process personal data securely. Specifically, Newport Aces Basketball Club will:
- Have appropriate security measures in place to protect personal data from unauthorised or unlawful processing, accidental loss, destruction, or damage, e.g., controlled access to data, passwords, lockable cabinets, encryption etc.
7. Accountability: Newport Aces Basketball Club will ensure that technical and organisational measures are in place to implement the data protection principles and safeguard individual rights. Specifically, Newport Aces Basketball Club will:
- Regularly review and update this policy, the Data Audit, and any Data Protection Impact Assessments.

- Maintain documentation of processing activities.
- Hold written contracts with organisations that process personal data on its behalf.
- Implement appropriate security measures.
- Provide training to workers, volunteers, and members.
- Record and where necessary report personal data breaches.

### Lawful basis for processing

Newport Aces Basketball Club will identify and document a lawful basis for different processing activities in order to process personal data, special category data and criminal offence data. The lawful basis for processing will be one or more of the following:

1. Legitimate interests: the processing is necessary for the Club's legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. This will include processes such as registering players, maintaining lists of players, members, parents of children at a Club, providing player information to insurers and providing an individual's details to the governing bodies for regulatory or disciplinary purposes.
2. Contract: the processing is necessary for a contract that the Club has with the individual (such as using someone's contact and payment details to pay an employee) or because they have asked the Club to take specific steps before entering a contract.
3. Legal obligation: the processing is necessary for the Club to comply with the law (not including contractual obligations), such as processing personal data by order of a court.
4. Vital interests: the processing is necessary to protect someone's life.
5. Public task: the processing is necessary for the Club to perform a task in the public interest or the Club's official functions, and the task or function has a clear basis in law.

6. Consent: the individual has given clear consent for the Club to process their personal data for a specific purpose. Consent will be given through freely “opting in” with a positive action such as ticking a box.

Information about the purposes and the lawful basis for processing will be included in Newport Aces Basketball Club’s privacy notice.

### Individual rights

Newport Aces Basketball Club will comply with the rights of individuals:

1. Right to be informed: The Club will provide individuals with privacy information via a privacy notice. This will be available as part of membership documentation, the Club website or by contacting Deborah Green, club welfare officer.
2. Right of access: The Club will respond to subject access requests within one month\* of the request unless an exemption applies, or the request is manifestly unfounded or excessive.
3. Right to rectification: The Club will respond to requests to rectify inaccurate personal data, or to complete incomplete data within one month\*, unless an exemption applies, or the request is manifestly unfounded or excessive.
4. Right to erasure: The Club will respond to requests to erase personal data within one month\* unless an exemption applies, or the request is manifestly unfounded or excessive.
5. Right to restrict processing: The Club will respond to requests to store personal data but not use it within one month\* unless an exemption applies, or the request is manifestly unfounded or excessive.
6. Right to data portability: The Club will respond to requests to access data provided in a structured, commonly used, and machine-readable format (e.g., CSV, XML and JSON) and transfer that to another controller within one month\* unless an exemption applies, or the request is manifestly unfounded or excessive.
7. Right to object: The Club will respond to requests to stop processing personal data

within one month\* unless an exemption applies, or the request is manifestly unfounded or excessive. The Club will always respond to requests to opt out of direct marketing.

8. Rights related to automated decision-making including profiling: The Club does not make decisions solely by automated means and does not use automated processing of personal data to evaluate things about an individual.

\*The timescale may be extended when circumstances permit this under the ICO guidance.

Newport Aces Basketball Club will make a record of all requests or challenges made by individuals and the responses to these in a log. The log will be stored securely. The Committee will review the log regularly.

#### Personal data breaches

Where a personal data breach is identified, Newport Aces Basketball Club will assess the risk to the individual e.g., of emotional distress, physical or material damage. If a risk is likely, Newport Aces Basketball Club will notify the ICO. If a breach is likely to result in a high risk to the rights and freedoms of individuals, Newport Aces Basketball Club will also notify the individual directly and as soon as possible, so that they can take steps to protect themselves from the effects of the breach. All personal data breaches will be recorded in a log. The log will be stored securely. The Committee will review the log regularly.

### **Availability and Review**

Newport Aces Basketball Club will keep this policy available in the Club and on the Newport Aces Basketball Club website. Anyone who needs to read it (such as any workers, volunteers, contractors, members of the public etc) can do so.

The Committee will review this policy annually, or earlier if necessary, such as in the event of a data breach.





## **Appendix: Terminology**

Data Subject: the individual whose data is held by an organisation

Data Controller: a data controller is the main decision-maker when it comes to how people's personal information is handled and how it is kept safe. The Club is a data controller.

Joint Controllers: joint controllers decide together why and how personal data will be processed and will have the same or similar reasons for using the data.

Data Processor: a data processor acts on behalf of the instructions of a controller and wouldn't do anything with the data if the controller hadn't requested it. Data Processors are still obliged to protect the personal data that they have, and to use it appropriately in line with the contract with the data controller.

Processing: Processing data means doing something with the data whilst operating within the UK – for example, using it to contact someone. It also includes storing it.

Personal data: data which relates to an identified or identifiable living individual. This could be as simple as a name or identification number, email address or telephone number. Information which is truly anonymous is not personal data. It can be held in physical or electronic format.

Special category data: Sensitive data listed below. Processing it requires both a lawful basis and a separate condition:

- personal data revealing racial or ethnic origin
- personal data revealing political opinions
- personal data revealing religious or philosophical beliefs
- personal data revealing trade union membership
- genetic data

- biometric data (where used for identification purposes)
- data concerning health
- data concerning a person's sexual orientation.