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# General Data Protection Regulation - GDPR

The General Data Protection Regulation (GDPR) came into force on the 25th May 2018, replacing the pre-existing data protection framework under the EU Data Protection Directive.

The GDPR emphasises transparency, security and accountability by data controllers and processors, while at the same time standardising and strengthening the right of European citizens to data privacy.

The premise of the GDPR is that information collected is valid information and required for a service to be fulfilled by a data collector or a data processor and the need to be aware of and understand what the information is for.

1. Why is the personal data being held?
2. How was it obtained?
3. Why was it originally gathered?
4. How long is it being retained for?
5. How secure is it?
6. Is it shared with any third parties?

## **GDPR in Brief**

### **Who Does GDPR Apply To?**

- GDPR affects any individual, club, event organiser, related association who uses people's personal information.
- GDPR applies to anyone considered to be a data controller, or someone who gathers and holds personal information on others. This could be club officials who look after gathering membership fees, or event organisers who are running events or seminars.

### **What is a Data Controller?**

The Data Controller determines the purposes for which and the manner in which any personal data are processed.

### **What is a Data Processor?**

The Data Processor processes personal data on behalf of the Controller.

### **What is Processing?**

"Processing" means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. "Process" and "Processing" are interpreted accordingly.

### **What does "Personal Data" mean?**

According to the Data Protection Act "personal data" means data relating to a living individual who is or can be identified either from the data or from the data in parallel with other information that is in, or likely to come into, the possession of the data controller. An example of this data can be: Name, Address, Phone number, email address, passport number, medical information, bank details or social media posts or information



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relevant to the club, and to participation in the sport or events.

### **What is a Breach?**

For the period of time it is held, the personal data is held securely, (e.g. using secure, non-shared passwords and encryption where necessary) and only moved between devices using secure means. Any printed copies of personal data should be stored securely and not left in public places.

GDPR defines a 'personal data breach' as 'a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed'.

'Personal data breaches' include:

- breaches of **confidentiality** (someone gains access to information who shouldn't have access to it);
- breaches of **integrity** (the information held is amended to make it incorrect or inaccurate); and
- breaches of **availability** (the information can no longer be accessed; for example, in a Distributed Denial of Service (DDoS) attack).
- deliberate or accidental action (or inaction) by a controller or processor;
- sending personal data to an incorrect recipient;
- computing devices containing personal data being lost or stolen;
- alteration of personal data without permission;

*For example:* if a club membership secretary holds the membership data unencrypted on their laptop and that laptop is stolen, that personal data has been subject to a data breach which is likely to need to be reported to the Data Commissioner.

The period applied to reporting a breach is 72 hours from being aware of such a breach with the report forwarded to the Data Commissioners. Records are also required keeping records of any personal data breaches.

### **Does the GDPR refer to digital data or paper records?**

All personal data, regardless whether it is collected manually or digitally, must be managed in accordance with GDPR. This means that the same levels of caution must be used at all times when collecting, retaining and using personal data. A data breach would occur if any personal data were to be passed to someone who has not been permitted to have that data, whether it is in paper form or online. Any printed copies of personal data should be stored securely and not left in public places.

### **Who can use personal data at events?**

Note that personal data and information on club members can be captured by event organisers and officials, in the case of competitive events, seminars or demonstrations.

There are occasions where paper copies of downloaded personal information may be passed to coaches or volunteers working at an event and this is necessary for their particular role, and considered a valid reason for this information to be passed.

### **Responding to Subject Access Requests (SARs)**

Any member can ask for a copy of the personal data held on them. A member must make the request in writing and give any details that may be required to access the



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information on them. Under GDPR the SARs must be responded to within one calendar month. Note information requested will only be given to the individual concerned, or person acting on their behalf and with their authority.

Data Protection Law also provides you with other rights in respect of your personal data, including: the right to erase your personal data (right to be forgotten), the right to restrict processing of your personal data; the right of data portability; the right of objection; and the right to object to any automated decision making.

These rights will be exercisable by you subject to limitations as provided for in Data Protection Law.

### **Our Commitment**

We are committed to working in conjunction with data protection guidelines in processing and controlling data as a club.

The measures and procedures in place are in line with the new regulation together with our PRIVACY POLICY and will endeavour that all personal information received will be stored and dealt with securely.

We will never pass member's details onto any unauthorised third-party organisation.

We will not sell on personal details to any other company for marketing purposes.

Only relevant data will be collected from our members.

### **Why and How?**

#### **Collecting Personal Data:**

As a sporting club we need to collect and maintain information with our members.

As a club we will act as a data controller in respect of personal data collected through our site or during the course of your interactions with us. Collecting personal data by us arises in various ways:

Information that you provide to us when registering as a member - such as your first name, last name, home address, e-mail address and telephone number.

#### **Purpose Limitation – What does this mean?**

One of the principles of the DPA and the GDPR is that you can only process data for the purpose for which it is collected and in general, that data cannot be used for something else.

An example of this is where a visitor and/or members submits an enquiry by completing enquiry forms or by submitting emails on services or events. The collection and processing of personal information is necessary to provide a response with information to the enquiries which have been made.



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### **Purposes for Collection and Processing of Personal Data:**

We may collect and process Personal Data you provide to us for the following purposes:

- a) Contacting you in response to information provided by you by way of enquiry or availing of our services.
- b) Provision of information and services that you have requested.
- c) To process your membership application or respond to any communication you might send us;
- d) To send you important information relating to our club and its activities, your membership, changes to terms, conditions, and policies and/or other administrative purposes.
- e) To communicate with you about activities, services, events, training courses and related news from us of possible interest to you.
- f) Details for officials who may hold information on members for the purpose of association membership/registration, seminars, gradings and competition attendances.
- g) Website visitors who submit enquiries by completing enquiry forms or by submitting email enquiries.
- h) If you contact us for any reason, we may keep a record of that correspondence.

### **Email, Text, Social Media Communications**

Only information relevant to club or club's activities or interests will be communicated.

We may contact you by email, text, and social media platforms to keep you up to date of events and news relevant to our activities. These are not considered to be marketing emails and as a club we feel it necessary to maintain regular contact with our membership. If for any reason you would prefer not to receive any emails or other communication from us, simply let us know and we will remove you from any relevant mail lists.

When members are joining or renewing their membership they will have the choice to **"opt out"** to receiving communications.

### **Information for Members**

Members can log in to the membership section and create their own profile. The club official will get a notification and approve your request to join. Your information will now be held on the membership system. This personal information can only be used for the purpose of valid activities relating to the club and not for external marketing reasons. Your information will be held for 7 years in line with the statutory limitations. Even if your membership has lapsed you can log into your profile at any stage and renew your membership licence.

Our preferred method for processing membership is through an online membership, and we aspire to eliminate the use of manual forms. Transportation of personal data in any format, including paper, is seen as a risk. Therefore, processing membership online is the safest and more secure way to do that.



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Associations, NGBs and event organisers are increasingly moving towards online registration, where there are less risk involved in terms of transporting personal data and processing information.

**Security:**

The nature of the internet is such that there is no guarantee or warranty in relation to the security of any information you transmit to us via the Internet. No data transmission over the Internet can be guaranteed to be totally secure and therefore we do not assume any responsibility for any harm, loss or damage you may experience or incur by sending of personal or confidential information over the Internet by or to us. If you have reason to believe that your interaction with us is no longer secure, please immediately notify us of the problem by contacting us.

**Retention of Personal Data**

We will retain the information you have provided as long as you remain a member or as long as there is legitimate interest. If legally required or if it is reasonably necessary to meet regulatory requirements, resolve disputes, prevent fraud and abuse, or enforce our terms and conditions, we may also retain some of your information for a limited period as required.

**Complaints:**

While you may make a complaint in respect of our compliance with Data Protection Law to the Irish Data Protection Commission, we request that you contact us in the first instance to give us the opportunity to address any concerns that you may have.

If you have a data protection query, or have further queries you can contact us at [info@wskfsedai.com](mailto:info@wskfsedai.com)

For some really useful information about how the GDPR might effect you [CHECK THIS WEBSITE https://ie.linkedin.com/company/data-protection-commissioner-of-ireland](https://ie.linkedin.com/company/data-protection-commissioner-of-ireland)