

Data Protection & Privacy Policy

North Yorkshire Sport Ltd is a company limited by guarantee with charity status registered in England and Wales (Company No. 8715810, Charity No. 1155238) with our office at 69 Bilton Lane, Harrogate, HG1 3DT. We are registered on the Information Commissioners Office register of data controllers, reference no. ZA054844

What is the purpose of this policy?

This privacy policy aims to give you information on how North Yorkshire Sport Ltd collects and processes your personal information as a participant of activities we run or through your use of our website. It makes you aware of how and why your personal information will be used, namely for the purposes of the performance of our contract with you as our customer, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation ((EU) 2016/679) (GDPR).

This policy primarily covers how we use information relating to our participants, website visitors and people who interact or do business with us (such as our suppliers). In these cases, we will be the “data controller” for the purposes of data protection law.

It is important that you read this policy, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

This policy does not form part of any employee’s contract of employment and it may be amended at any time. Any breach of this policy will be taken seriously and may result in disciplinary action.

North Yorkshire Sport will ensure that:

- Everyone processing personal information is appropriately trained to do so and appropriately supervised;
- Anybody wanting to make enquiries about handling personal information knows what to do; any enquiries about handling personal information are dealt with promptly and courteously;
- We explain how we handle personal information;
- We will regularly review and audit the way we hold, manage and use personal information.
- If any employee considers that the policy has not been followed in respect of personal data about them or others, they should raise the matter with their Line Manager.

Data protection principles

We will comply with the general data protection regulation (GDPR) law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way.

- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

Responsibilities

North Yorkshire Sport is the Data Controller under GDPR, which means that we determine what purposes personal information held will be used for and the manner in which any personal data will be processed.

We are also responsible for notifying the Information Commissioners Office (ICO) of the data we holds or are likely to hold, and the general purposes that this data will be used for.

The Head of Development is the organisation's central point of contact for all data compliance issues and who ensures compliance with GDPR. Their role is to make sure the organisation is registered with the Information Commissioner's Office and to ensure their notification is up to date.

It is the Senior Leadership Team's responsibility to ensure that all staff are aware of their data protection responsibilities through the circulation and explanation of this policy through induction and training.

Relevant data protection issues will be included in induction training.

The Organisation requires all employees to comply with GDPR in relation to information about other staff. Failure to do so will be regarded as serious misconduct and will be dealt with in accordance with the Organisation's disciplinary policy and procedure. If an employee is in a position to deal with personal information about other employees, he or she will be given separate guidance on his or her obligations, and must ask if he or she is unsure.

Storage

Manual files containing sensitive information will be labelled confidential and kept in locked filing cabinets, accessible only to relevant staff.

Computer Records

Computer files containing sensitive information will be password protected, accessible only to relevant staff.

Employee Records

Information held about employees will only be collected and recorded with good reason, it will be stored securely and for only as long as required. Please see the retention of records policy for details on how long the organisation retains information including employee records.

These records may include:

- information gathered about an employee and any references obtained during recruitment
- details of terms of employment, payroll, tax and National Insurance information
- performance information
- details of grade and job duties
- health records and absence records, including holiday records and self-certification forms
- details of any disciplinary investigations and proceedings
- training records
- contact names and addresses
- correspondence with the Organisation and other information provided to the Organisation.

The organisation believes these records are consistent with the principles of GDPR. The obligation is on employees to ensure that the organisation has up-to-date and accurate information.

The information held will be for management and administrative use only, but from time to time, may need to disclose some information held about employees to relevant third parties.

It should also be noted that the Organisation might hold the following information about an employee for which disclosure to any person will be made only when strictly necessary for the purposes set out below:

- an employee's health, for the purposes of compliance with our health and safety and our occupational health obligations
- for the purposes of HR management and administration, for example to consider how an employee's health affects his or her ability to do his or her job and, if the employee is disabled, whether he or she requires any reasonable adjustment to be made to assist him or her at work
- the administration of insurance, pension, sick pay and any other related benefits
- in connection with unspent convictions to enable us to assess an employee's suitability for employment.

The type of information we collect about you

If you communicate with us, or do business with us, this will result in us collecting personal data about you. We will collect, store, and use the following types of personal information about you:

- Contact details such as the name, address, email and telephone number of business contacts.
- Bank and transaction details such as details about payments to and from you and other details of products and services you have purchased from us.
- Information about our service to you including your participation with us, your engagement with our services, your preferences and any feedback you give us.
- Information about how you use our website and services.
- We do not normally collect “special categories” of sensitive personal data from our customers, suppliers or users of our website. In the event you provide us with any special category data, we will take extra care to ensure your rights are protected.

Information about organisations/clients

Information held by North Yorkshire Sport relates to voluntary and community organisations, other organisations (including public and private sector) and individuals (including volunteers, employees, trustees/management committee members, suppliers) which support, assist, provide services to, work with or alongside, or fund voluntary and community organisations.

North Yorkshire Sport will not give out information about any individual unless it is satisfied that they individual knows this type of disclosure may be made and/or the information is already in the public domain (or that there is some over-riding reason for the disclosure).

How is your personal information collected?

We collect your personal information through different methods including:

- Direct interactions with you by phone, email or otherwise. This includes personal data you provide when you apply for our services, fill out a ‘Contact Us’ form on our website, request marketing materials be sent to you, or give us some feedback.
- Through the service we provide to you.
- Automated technologies or interactions. As you interact with our website, we may automatically collect technical information about your equipment, browsing actions and patterns.

How we will use your personal information

We will only use your personal information when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.

- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.
- Generally, we do not rely on consent as a legal basis for processing your personal information other than in relation to sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to such marketing at any time.

Purposes for which we use your personal information

We need all the categories of information in the list above (see **type of information we collect about you**) primarily to allow us to perform our contract with you and to enable us to comply with our legal obligations. In some cases, we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below:

- To register you as a participant.
- To perform our contract or service to you.
- To manage our relationship with you, including notifying you about changes to our contract or services or asking you to provide us with feedback.
- To administer and protect the business and this website.
- To make suggestions or recommendations to you about similar goods or services that may be of interest to you.

If you fail to provide personal information

If you fail to provide certain information when requested either by law, or under the terms of a contract we have with you, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with a service.)

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Sharing your personal information

We may have to share your personal information with third parties, including third-party service providers.

We require third parties to respect the security of your personal information and to treat it in accordance with the law.

We do not transfer your personal data outside the European Economic Area.

Why might we share your personal information with third parties?

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

Which third-party service providers process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents).

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or the police or to otherwise comply with the law.

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

Data security

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

How long do we keep your personal information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Details of retention periods for different aspects of your personal information are available in our retention policy which you can request from us by contacting us.

Rights of Access, Correction, Erasure and Restriction

Your duty to inform us of changes - it is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your business relationship with us.

Your rights in relation to your personal information

Under certain circumstances, by law you have the right to:

- Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact info@northyorkshiresport.co.uk. Please note, there are some specific circumstances where these rights do not apply and we can refuse to deal with your request.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

A data subject may make a formal DSAR at any time to see the information which the Organisation holds about them. Any member of staff who receives a written request should forward it to Damien Smith (Head of Development) immediately.

- data subject access requests (DSARs) must be made in writing
- Upon receipt of a DSAR North Yorkshire Sport will respond within 40 days.

The following information will be provided to the data subject:

- Whether or not the Organisation holds any personal data on the data subject;
- A description of any personal data held on the data subject;
- Details of what that personal data is used for;
- Details of any third-party organisations that personal data is passed to

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact info@northyorkshiresport.co.uk. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Providing information over the telephone

Any employee dealing with telephone enquiries should be careful about disclosing any personal information held by us. In particular, they should:-

- Check the caller's identity to make sure that information is only given to a person who is entitled to it.
- Suggest that the caller put their request in writing if they are not sure about the caller's identity and where their identity can be checked.
- Refer to Damien Smith (Head of Development) for assistance in difficult situations. No-one should be bullied into disclosing personal information.

Complaints

We take any complaints we receive about the collection and use of personal information very seriously. We would encourage you to bring it to our attention if you think that our collection or use of information is unfair, misleading or inappropriate. You can make a complaint at any time by contacting us (see contact details section below).

If you think our collection or use of personal information is unfair, misleading or inappropriate or if you have concerns about the security of your personal information, you also have the right to make a complaint to the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Changes to this Privacy Policy

We reserve the right to update this privacy policy at any time and we will provide you with a new privacy policy when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

Contact us

Address: North Yorkshire Sport Ltd, 69 Bilton Lane, Harrogate, North Yorkshire, HG1 3DT

Email: info@northyorkshiresport.co.uk

Tel: 01423 637650

Updated: 21st May 2018

Appendix

Data Subject Access Request Form

Please note that where the term “Data Subject” is used it refers to the person about whom the information is being requested.

1. Details of person requesting the information

Full Name

Address.....

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Tel No: Mobile No:

Email:

2. Are you the data subject?

YES: If you are the Data Subject please supply evidence of your identity i.e. driving licence, birth certificate (or photocopy). (Please go to question 5.)

NO: Are you acting on behalf of the Data Subject with their written authority? If so, that authority must be enclosed. (Please complete questions 3. and 4.)

3. Details of the Data Subject (if different to 1.)

Full Name

Address.....

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Tel No: Mobile No:

Email:

4. Please describe your relationship with the Data Subject that leads you to make this request for information on their behalf.

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5. Please describe the information you seek together with any other relevant information. This will help to identify the information you require.

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I, certify that the information given on this application form to the North Yorkshire Sport Ltd is true. I understand that it is necessary for the organisation to confirm my/Data Subject's identity and it may be necessary to obtain more detailed information in order to locate the correct information.

Signature:

Date:

Note: The period of 40 days in which the organisation must respond to the request will not commence until it is satisfied upon these matters.

Please return the completed form to Damien Smith, North Yorkshire Sport Ltd, 69 Bilton Lane, Harrogate, North Yorkshire, HG1 3DT.

Documents which must accompany this application:

- a. evidence of your identity;
- b. evidence of the Data Subject's identity (if different from above);