



## MONTON SPORTS CLUB LTD

### PRIVACY NOTICE

#### WHO WE ARE:

Monton Sports Club Ltd, of Welbeck Road, Ellesmere Park, Manchester, M30 9EH with company number 10339709 ("the Club"), is a Data Controller for the purposes of relevant legislation and we are registered with the Information Commissioner's Office.

This Privacy Notice applies to all Sports Sections of the Club: Cricket, Lacrosse, Squash, Tennis and Junior Football and also applies with respect to Social Members of the Club, Staff and Guests.

#### WHAT THIS PRIVACY NOTICE IS FOR:

This policy is intended to provide information about how the Club will use (or "process") personal data about individuals including: its staff; its current, past and prospective members; and their parents, carers or guardians (referred to in this policy as "parents").

This information is provided because Data Protection Law gives individuals rights to understand how their personal data is used. Staff, parents and members are all encouraged to read this Privacy Notice and understand the Club's obligations to its entire community.

This Privacy Notice applies alongside any other information the Club may provide about a particular use of personal data, for example when collecting data via an online or paper form.

This Privacy Notice also applies in addition to the Club's other relevant terms and conditions and policies, including:

- i. any contract between the club and its staff or the parents of members;
- ii. the club's policy on taking, storing and using images of children;
- iii. the club's retention of records policy;
- iv. the club's safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded;
- v. the club's IT policies, including its Acceptable Use policy.

Anyone who works for, or acts on behalf of, the club (including staff, volunteers, directors and service providers) should also be aware of and comply with this Privacy Notice, which also provides further information about how personal data about those individuals will be used.

#### RESPONSIBILITY FOR DATA PROTECTION

The Club has appointed Bruce Hailey as the Privacy and Compliance Officer who will deal with all your requests and enquiries concerning the Club's uses of your personal data (see section on Your Rights below) and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law.

#### WHY THE CLUB NEEDS TO PROCESS PERSONAL DATA

In order to carry out its ordinary duties to staff, members and parents, the Club needs to process a wide range of personal data about individuals (including current, past and prospective staff, members or parents) as part of its daily operation.

Some of this activity the Club will need to carry out in order to fulfil its legal rights, duties or obligations – including those under a contract with its staff, or parents of its members. Other uses of personal data will be made in accordance with the Club's legitimate interests, or the legitimate interests of another, provided that these are not outweighed by the impact on individuals and provided it does not involve special or sensitive types of data.

The Club expects that the following uses will fall within that category of its (or its community's) "legitimate interests":

- For the purposes of team selections.
- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as tax, diversity or gender pay gap analysis);
- To enable relevant authorities to monitor the Club's performance and to intervene or assist with incidents as appropriate;
- To provide references to potential employers of past staff;
- To enable members to take part in matches and team sports with other members of the club;
- To safeguard members' welfare and provide appropriate pastoral care;
- To monitor (as appropriate) use of the Club's IT and communications systems;
- To make use of photographic images of members in Club publications, on the Club website and (where appropriate) on the Club's social media channels in accordance with the Club's policy on taking, storing and using images of children;
- To carry out or cooperate with any club or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for the Club's purposes, including to obtain appropriate professional advice and insurance for the club.

In addition, the Club will on occasion need to process special category personal data (concerning health, ethnicity, religion, sexual life) or criminal records information (such as when carrying out DBS checks) in accordance with rights or duties imposed on it by law, including as regards safeguarding and employment, or from time to time by explicit consent where required. These reasons will include:

- To safeguard members' welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition or other relevant information where it is in the individual's interests to do so: for example for medical advice, for social protection, safeguarding, and cooperation with police or social services, for insurance purposes;
- In connection with employment of its staff, for example DBS checks, welfare, union membership or pension plans;
- As part of any Club or external complaints, disciplinary or investigation process that involves such data.

- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.

#### TYPES OF PERSONAL DATA PROCESSED BY THE CLUB

This will include by way of example:

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- personnel files in connection with employment or safeguarding;
- where appropriate, information about individuals' health and welfare, and contact details for their next of kin;
- correspondence with and concerning staff, members and parents past and present;
- images of members (and occasionally other individuals) engaging in Club activities, (in accordance with the Club's policy on taking, storing and using images of children);

#### HOW THE CLUB COLLECTS DATA

Generally, the Club receives personal data from the individual directly (including, in the case of junior members, from their parents). This may be via a form, or simply in the ordinary course of interaction or communication (such as email).

#### WHO HAS ACCESS TO PERSONAL DATA AND WHO THE CLUB SHARES IT WITH

Occasionally, the Club will need to share personal information relating to its community with third parties, such as:

- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
- government authorities (e.g. HMRC, DfE, police or the local authority); and
- appropriate regulatory bodies e.g. the Information Commissioner.

For the most part, personal data collected by the Club will remain within the Club, will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis). Particularly strict rules of access apply in the context of medical issues and allergies.

Finally, in accordance with Data Protection Law, some of the Club's processing activity may be carried out on its behalf by third parties, such as IT systems, web developers or cloud storage providers. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with the Club's specific directions.

#### HOW LONG WE KEEP PERSONAL DATA

The Club will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. Typically, the legal recommendation for how long to keep data is up to 7 years following departure from the Club. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

If you have any specific queries about how our retention policy is applied or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact Bruce Hailey by email at [manager@montonsportsclub.co.uk](mailto:manager@montonsportsclub.co.uk). However, please bear in mind that the club will often have lawful and necessary reasons to hold on to some personal data even following such request.

A limited and reasonable amount of information will be kept for archiving purposes, for example; and even where you have requested we no longer keep in touch with you, we will need to keep a record of the fact in order to fulfil your wishes (called a "suppression record"). Records are held in line with our current Storing and Retention of Data Policy and guidelines.

#### KEEPING IN TOUCH AND SUPPORTING THE CLUB

The Club will use the contact details of parents and other members of the Club community to keep them updated about the activities of the Club, or member events of interest, including by sending updates and newsletters, by email and by post. Unless the relevant individual objects.

Should you wish to limit or object to any such use, or would like further information about them, please contact Bruce Hailey in writing. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising.

However, the Club is nonetheless likely to retain some of your details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

#### YOUR RIGHTS

Rights of access, etc.

Individuals have various rights under Data Protection Law to access and understand personal data about them held by the Club, and in some cases ask for it to be erased or amended or have it transferred to others, or for the Club to stop processing it – but subject to certain exemptions and limitations.

Any individual wishing to access or amend their personal data, or who has some other objection to how their personal data is used, should put their request in writing to Bruce Hailey by post to the Club's address stated on page 1.

The Club will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event within statutory time-limits (which is one month in the case of requests for access to information).

The Club will be better able to respond quickly to smaller, targeted requests for information. If the request for information is manifestly excessive or similar to previous requests, the Club may ask you to reconsider, or require a proportionate fee (but only where Data Protection Law allows it).

#### Requests that cannot be fulfilled

You should be aware that the right of access is limited to your own personal data, and certain data is exempt from the right of access. This will include information which identifies other individuals (and parents need to be aware this may include their own children, in certain limited situations – please see further below), or information which is subject to legal privilege (for example legal advice given to or sought by the Club, or documents prepared in connection with a legal action).

You may have heard of the "right to be forgotten". However, we will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your (or your child's) personal data: for example, a legal requirement, or where it falls within a legitimate interest identified in this Privacy Notice. All such requests will be considered on their own merits.

## Junior Member requests

Junior members can make subject access requests for their own personal data, provided that, in the reasonable opinion of the Club, they have sufficient maturity to understand the request they are making (see section *Whose Rights?* below). A member of any age may ask a parent or other representative to make a subject access request on his/her behalf.

Indeed, while a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger members, the law still considers the information in question to be the child's: for older junior members, the parent making the request may need to evidence their child's authority for the specific request.

Junior Members of the Club are generally assumed to have this level of maturity, although this will depend on both the child and the personal data requested, including any relevant circumstances at home. Slightly younger children may however be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

## Parental requests, etc.

It should be clearly understood that the rules on subject access are not the sole basis on which information requests are handled. Parents may not have a statutory right to information, but they and others will often have a legitimate interest or expectation in receiving certain information about members without their consent. The Club may consider there are lawful grounds for sharing with or without reference to that junior member.

All information requests from, on behalf of, or concerning members – whether made under subject access or simply as an incidental request – will therefore be considered on a case by case basis.

## Consent

Where the Club is relying on consent as a means to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). Examples where we do rely on consent are: e.g. certain types of uses of images. Please be aware however that the Club may not be relying on consent but have another lawful reason to process the personal data in question even without your consent.

That reason will usually have been asserted under this Privacy Notice or may otherwise exist under some form of contract or agreement with the individual (e.g. an employment contract, or because of a purchase of goods, or services contract).

## Whose rights?

The rights under Data Protection Law belong to the individual to whom the data relates. However, the Club will often rely on parental authority or notice for the necessary ways it processes personal data relating to members – for example, under the membership contract, or via a form. Parents and members should be aware that this is not necessarily the same as the club relying on strict consent (see section on Consent above).

Where consent is required, it may in some cases be necessary or appropriate – given the nature of the processing in question, and the members age and understanding – to seek the members consent.

Parents should be aware that in such situations they may not be consulted, depending on the interests of the child, the parents' rights at law or under their contract, and all the circumstances.

In general, the Club will assume that members' consent is not required for ordinary disclosure of their personal data to team managers. That is unless, in the Club's opinion, there is a good reason to do otherwise. However, where a member seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, the Club may be under an obligation to maintain confidentiality unless, in the Club's opinion, there is a good reason to do otherwise; for example where the Club believes disclosure will be in the best interests of the junior member or other members, or if required by law.

Members are required to respect the personal data and privacy of others, and to comply with the Club's rules. Staff are under professional duties to do the same covered under the relevant staff policy.

#### DATA ACCURACY AND SECURITY

The Club will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Individuals must please notify the Club of any significant changes to important information, such as contact details, held about them. Changes may also be made directly by members on the LoveAdmin site.

An individual has the right to request that any out-of-date, irrelevant or inaccurate or information about them is erased or corrected (subject to certain exemptions and limitations under Data Protection Law): please see above for details of why the Club may need to process your data, and who you may contact if you disagree.

The Club will take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around use of technology and devices, and access to Club systems. All staff, directors and officers will be made aware of this policy and their duties under Data Protection Law and receive relevant training.

#### THIS POLICY

The Club will update this Privacy Notice from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.

#### QUERIES AND COMPLAINTS

Any comments or queries on this policy should be directed to Bruce Hailey using the email [manager@montonsportsclub.co.uk](mailto:manager@montonsportsclub.co.uk).

If an individual believes that the Club has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should utilise the Club complaints / grievance procedure and should also notify Bruce Hailey. You can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO), although the ICO recommends that steps are taken to resolve the matter with the Club before involving the regulator.

January 2022