



## GENERAL DATA PROTECTION REGULATION (GDPR)

### Guidance Note for Affiliated Clubs and County Associations

Issued: May 2018

**THIS PAPER SHOULD BE READ IN CONJUNCTION WITH THE GUIDANCE NOTE ISSUED TO CLUBS AND COUNTY ASSOCIATIONS BY BOWLS ENGLAND IN FEBRUARY 2018**

### INTRODUCTION

All membership organisations have a legal and moral duty to protect the data of their members. Many points of the GDPR already apply under current data protection laws. The GDPR will become enforceable from Friday 25<sup>th</sup> May 2018. It replaces the Data Protection Act 1998 and covers the storage and use of 'Personal Data'.

### PROGRESS TO DATE

Outline advice was presented to County Association representatives at the Bowls England Counties Meeting in November 2017 and circulated following that meeting. Further guidance was issued by Bowls England in February 2018 following the Annual General Meeting, and GDPR was included as an agenda item during Bowls England's Regional Meetings in Spring 2018.

In addition, Bowls England has continued to receive a number of individual queries from affiliated clubs and these have been responded to with the assistance of the Information Commissioner's Office (ICO) as necessary.

### GUIDANCE AND TEMPLATES – CLUBS AND COUNTY ASSOCIATIONS

In April 2018, specific guidance and templates for use by clubs and county associations across the sport and recreation sector, prepared by the Sport & Recreation Alliance (SRA), was circulated by Bowls England to its Members. Please see Appendix A (Clubs) and Appendix B (County Associations).

In May 2018, Sport England issued further guidance via Club Matters, titled 'How to prepare your club for Data Protection changes'. A copy of this item is included at Appendix C.

### INFORMATION COMMISSIONERS OFFICE

The Information Commissioner published its latest newsletter in May 2018. A full copy of the transcript is included at Appendix D. Your attention is drawn to the following quote from the Information Commissioner, who is quoted: *"To small and micro businesses, clubs and associations who are not quite there, I say ... don't panic!"*

### NEXT STEPS

The GDPR journey does not stop on Friday 25<sup>th</sup> May.

The Sport & Recreation Alliance and Sport England have already announced that they know that there will be a need for ongoing support beyond that date and have appointed data protection specialists to support this process. Between the end of May 2018 and March 2019, a range of very

practical, hands-on resources to help even the smallest sport and recreation organisations understand how to put into practice what is needed to become GDPR compliant will be made available to the sports sector.

Bowls England expect to see some advice and suggestions that try to help our Clubs and County Associations to answer the question “Well, how do I actually do this?” including:

- Simple “how-to” summaries aimed specifically at clubs
- Online media such as videos and podcasts
- FAQ-style summaries of practical issues around personal data

Bowls England will send you updates signposting you to these resources as and when they become available, in addition to publishing information on our website and social media channels.

### **ANY QUESTIONS**

Should you require any additional assistance at this stage please e-mail: [enquiries@bowlsengland.com](mailto:enquiries@bowlsengland.com) in the first instance.

## **APPENDIX A: SPORT & RECREATION ALLIANCE GDPR TOOLKIT – FOR CLUBS**

The following documents are all available on the SRA website for use as relevant by Clubs and County Associations as listed:

### ***Compliance Questionnaire***

[GDPR Compliance Questionnaire](#)

### ***Privacy Notices (telling individuals you deal with what information you collect and why)***

[Standard Employee Data Privacy Notice](#)

[Standard Volunteer Data Privacy Notice](#)

[Standard Club Member Data Privacy Notice](#)

[‘Child Friendly’ Club Member Data Privacy Notice](#)

[Standard External Privacy Policy](#)

[Privacy Notice \(Rest of World\) - for individuals not covered by a specific privacy notice](#)

### ***Data Protection Policies (Policies to guide your staff and volunteers as they handle personal data)***

[Standard Club Data Protection Policy](#)

[Advice Note on Data Protection Officer appointment](#)

[Advice note on Accountability](#)

[CCTV notice and public sign up](#)

### ***Individuals' Rights***

[Template response to Subject Access Requests](#)

[Template response to Right to be Forgotten](#)

[Advice Note on Data Breaches and Self-Reporting](#)

[Guide to Data Subjects Rights, including Subject Access Requests and Right to be Forgotten](#)

### ***Transferring and Processing Data (For when you move data outside of your organisation)***

[Standard Framework Data Transfer Agreement for use within NGB/Regional/Club networks](#)

[Standard External Data Processing Agreement – biased towards your organisation](#)

[Standard External Data Processing Agreement – middle ground approach](#)

[Data Transfer Agreement – Outside the EEA](#)

[Advice Note on Data Transfers Outside of the EEA](#)

### ***Direct Marketing***

[Standard Consent Wording and Advice Note on Direct Marketing](#)

## **APPENDIX B: SPORT & RECREATION ALLIANCE GDPR TOOLKIT – FOR COUNTY ASSOCIATIONS**

The following documents are all available on the SRA website for use as relevant by Clubs and County Associations as listed:

### ***Compliance Questionnaire***

[GDPR Compliance Questionnaire](#)

### ***Privacy Notices (Telling individuals you deal with what information you collect and why)***

[Standard Employee Data Privacy Notice](#)

[Standard Volunteer Data Privacy Notice](#)

[Standard Regional Body Data Privacy Notice](#)

[‘Child Friendly’ Regional Body Data Privacy Notice](#)

[Privacy Notice \(Rest of World\) - for individuals not covered by a specific privacy notice](#)

[Standard External Privacy Policy](#)

### ***Data Protection Policies (Policies to guide your staff and volunteers as they handle personal data)***

[Standard NGB/Regional Body Data Protection Policy](#)

[Advice Note on Data Protection Officer appointment](#)

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To view and download the relevant sections of the SRA GDPR Toolkit, visit:

<https://www.sportandrecreation.org.uk/pages/gdpr>

## **APPENDIX C: SPORT ENGLAND CLUB MATTERS (ISSUED MAY 2018)**

### **“GDPR: How to prepare your club for Data Protection changes”**

With the new GDPR bill coming into force on 25th May, it's important that all clubs are aware of the new laws.

Currently, we rely on the Data Protection Act 1998, which was brought in before the internet and cloud technology created new ways of sharing and holding data. The EU's new GDPR will bring data protection legislation into the 21st century. Many of the GDPR's main concepts and principles are the same as those in the current Data Protection Act (DPA), so if you are already complying properly then you won't have to make too many changes. However, it is important to bear in mind that there are some new elements and changes, so you will have to do some things for the first time and other things differently.

The Sport & Recreation Alliance has produced some useful toolkits, while the Information Commissioner's Office (ICO) will help you work out the main differences between the current law and the new GDPR to ensure your club is prepared for the change on 25<sup>th</sup> May.

We've also covered GDPR on Club Natters, our new podcast, so be sure to check that out too!

Here are 10 steps you can follow to make sure your club meets the requirements for the new bill:

#### **1. Awareness**

Make sure that key people at your club are aware that the law is changing. Implementing the GDPR could take up a fair amount of time, so it's best not to leave it til the last minute.

#### **2. Information you hold**

Make a record of what personal data you hold at your club, where it came from and who you share it with. We suggest creating a list of all the information you hold on staff, members, participants and volunteers.

#### **3. Communicating privacy information**

Take a look over your current privacy notices - messages you send people confirming how their personal data will be used and stored by the club - and make any necessary changes.

#### **4. Individuals' rights**

Check your data procedures to ensure they cover all the rights club members have, including how you would delete personal data or provide data electronically.

#### **5. Data access requests**

Update and plan how you will handle data access requests to take account of the new rules. Under the new rules, you will only have a month to comply, rather than the current 40 days.

#### **6. Lawful basis for processing personal data**

Under GDPR, your club must be able to prove and describe how you will handle personal information. Identify the lawful basis for the way you use personal data, then update your privacy notice to explain it.

## **7. Consent**

Review how you record consent and whether you need to make any changes. Refresh any existing consent forms you hold if they don't meet the GDPR standard.

## **8. Children**

Start thinking about whether you need to put systems in place to verify individuals' ages and if you need to obtain parental or guardian consent.

## **9. Data breaches**

Ensure you have the right procedures in place to detect, report and investigate a personal data breach. It may be helpful to assess the types of personal data you hold at your club and be aware of when you would be required to notify the ICO or affected individuals if a breach occurred.

## **10. Data Protection Officers**

Designate someone involved with your club to take responsibility for data protection compliance.

Once you have followed these steps, have a look at the ICO checklist to see if you are GDPR compliant.

## **APPENDIX D: INFORMATION COMMISSIONER'S MAY NEWSLETTER**

“Friday 25 May is the first day of a new era for data protection, as the General Data Protection Regulation, the GDPR, takes effect.

The people who use your services will have more control over their personal information. In the age of big data and ever more technical and complex ways to share and communicate digitally, this must be a good thing. The Your Data Matters campaign gives us the opportunity to improve the public's trust and confidence in how data is used and made available.

I say again to those organisations who want to build customer trust in how they collect and use personal data, the opportunities to improve your organisation and the services you offer, through the GDPR, are enormous.

To small and micro businesses, clubs and associations who are not quite there, I say ... don't panic! As the new ICO Regulatory Action Policy, out for consultation very shortly, sets out, we pride ourselves on being a fair and proportionate regulator. That will continue under the GDPR. 25 May is not the end of anything, it is the beginning, and the important thing is to take concrete steps to implement your new responsibilities — to better protect customer data. My office has lots of resources to help you do that.”

For more information go to: <https://ico.org.uk/>