

Agenda Item 11 – General Data Protection Regulations (GDPR)

This item is mainly for information and **advice to clubs through their delegates** on how they can meet the requirements of the GDPR with minor changes to how they currently operate, assuming they are compliant with the Data Protection Act (DPA)! It also indicates the support available to clubs from the GBA so that minimal effort will be required to adopt an implement a club policy. **There are large and substantial fines for any organisation that does not follow the Requirements**

The GDPR, which comes into force on **28 May 2018**, is really aimed at large commercial or public-sector organisations who hold huge amounts of our personal data, not just names and personal details (address, phone number, e-mail etc) but also health and financial issues, information about your shopping, viewing, searching and travelling habits to name but a few, which they process in different ways. Explains why those annoying pop-ups and ads in the side bar of Goggle always seem to know what you looked at previously when shopping or holiday hunting. The GDPR, however, covers all organisations which have a database of individuals and their personal details, **including a small bowls club**. Clubs do not have to register with anyone.

Clubs will have a database of members which also contains information such as address, phone number(s), e-mail address, possibly also date of birth and gender and perhaps other information. The GDRP does not distinguish between paper and digital databases. There is nothing wrong or illegal in a club holding this information as it can be argued that it is essential to the effective running of the club. You do not need a legal justification for holding the data. It could be questionable though if, for example, a club held car registration numbers unless it has a car park when it becomes essential for management of the car park. The rule is very simple, if you can justify holding the data to enable the club to run, you are covered.

What the GDPR does require falls into a number areas:

- A policy on the data collected and why;
- Who controls the data (Data Controller and Data Processor);
- Data Security;
- Individuals rights over their data;
- What data is shared with others internally and externally (GBA and BE for a club); and,
- Consent for the use of a member's data.

The GBA will be sending a draft **Club Policy on GDPR** to all clubs. They should be able to simply edit this draft policy and adopt it rather than having a situation where 60 clubs are having to write their own separate policies.

The Policy will suggest people to act as the **Data Controller** (the **Chairman**) – the person who oversees everything and is effectively the data protection officer, and the **Data Processor** – the person who collects and maintains the records (probably the club **Secretary**). Nothing really new here, just putting names to posts.

There has always been concern over the security of personal information held by organisations and its security is a key part of the GDPR. Meeting security concerns can be dealt with (as suggested in the draft policy) by requiring that the data is held on a **password protected computer** and that the **individual file(s) is also password protected**. Should anyone not be sure on how the password protect a file, I can let them have a guide. It's not difficult provided you don't lose the password !

In the ideal world, only one person (the Data Controller) would collect and use the data. It would not be provided to anyone else in the club or outside. Clearly impractical as people like captains and selectors need e-mail address or phone numbers to arrange games for example. The solution to this is to publish a club handbook which shows the necessary personal information which people can access. In addition, data on a very limited number of individuals (like club and fixture secretary) is given to the GBA and through them to BE.

For these to happen (contact, handbook and data given to GBA) the **consent of each club member must be individually sought** (it cannot be implied by their provision of the information). Clubs will need to ask each member to sign a consent form so that their information can be used. Separate permission is needed for each form of communication (phone, mail, e-mail) and for publication in the handbook. A single overarching consent to everything is not acceptable. Clubs will again be provided with a draft form to obtain this.

GDPR will only be a problem for a club if they fail to follow the guidance given. It's not a big deal or lengthy process if you do it right. Getting it wrong is a potential nightmare.