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| sportscotland |
| Clubs template privacy notice wording |

*Drafting Note: This template sets out the headings required under the GDPR. Where possible, we have sought to include options for different categories of data subject and include examples. Clubs should use this template to create bespoke privacy notices for their own use, by using the headings and example text where appropriate by completing the text in square brackets*

# [insert name of club] Privacy Notice

We take your privacy very seriously. Please read this privacy notice carefully as it contains important information on who we are and how and why we collect, store, use and share your personal information. It also explains your rights in relation to your personal information and how to contact us or supervisory authorities in the event you have a complaint.

[insert background information re club, such as structure, whether affiliated with any other organisations, for example, a SGB, etc.]

Our contact details:

Name – [insert name of DPO or club contact]

Address – [insert club’s address]

Phone number – [insert phone number of DPO or SGB contact]

Email – [insert email address of DPO or SGB contact]

[insert name of club] will be a “controller” of the personal information that you provide to us [in this form / through this website, etc.] [unless otherwise stated].

## What we collect / need

## *Option 1 – Members’ personal data*:

When you register as a member of [insert name of club] or renew your membership (including if you are registering or renewing on behalf of a child under the age of [insert age limit]), we will ask you for the following personal information:

* [contact details– name, address, email address, date of birth, etc.];
* [membership criteria / category – for example, athlete, parent, volunteer, etc.];
* [payment details – bank account number, sort code, card details, etc.];
* [participation details – for example, parent, athlete, etc.];
* [equality information – for example, disability, etc.]; and
* [insert any other personal information, for example, PVG membership, IP address, etc.].

## *Option 2 – Volunteers’ personal data:*

When you volunteer with [insert name of club], we will ask you for the following personal information:

* [contact details – name, address, email address, date of birth, etc.];
* [participation details – for example, parent, committee, etc.];
* [equality information – for example, disability, etc.]; and
* [insert any other personal information, for example, PVG membership, IP address, etc.].

## How your personal information is collected

Most of the personal information we process is provided to us directly by you when you [become a member / volunteer with us]. We may also receive your personal information indirectly, including from the following sources:

* other [members / volunteers] in relation to your engagement with them, such as participating in [events, meetings, competitions and training camps], where a complaint is raised involving you as a witness or otherwise, where a disciplinary or safeguarding matter is being investigated or [insert other examples];
* if a member of the public contacts [insert name of club] regarding any matter involving you;
* from [insert name of governing body], other sports governing bodies or **sport**scotland;
* from official authorities, including Police Scotland, the UK Anti-Doping Agency or Disclosure Scotland; or
* from your legal representatives.

## How and why we use your personal information

Under data protection law, we can only use your personal information if we have a proper reason for doing so, for example:

* to comply with our legal and regulatory obligations;
* for the performance of our contract with you or to take steps at your request before entering into a contract;
* to protect your vital interests;
* to exercise a public function or perform a task in the public interest set out in law;
* for our legitimate interests or those of a third party; or
* where you have given consent.

## Why we use your personal information

## *Option 1 – Members’ personal data:*

We need to collect our members’ personal information so that we can manage your membership. We will use our members’ personal information to:

* [provide you with core member services, including [insert key service purposes, for example, insurance, licensing, voting, etc.]];
* [set up your online membership account and [insert any other uses online]];
* [send you membership communications [by post or email] in relation to essential membership services, [including but not limited to, [general meeting notices], membership renewals, membership fees’ information, etc.]]; and
* [insert any other membership uses of personal data].

If you do not provide us with all of the personal information that we need to collect then this may affect our ability to offer the above membership services and benefits.

We are under a legal obligation to process certain personal information relating to our [members, volunteers, participants, athletes, etc.] for the purposes of complying with our obligations under:

* [the [Companies Act 2006 / Charities and Trustee Investment (Scotland) Act 2005] to maintain a register of our members, which includes our members’ name, address, the date they were admitted to membership and the date on which they ceased to be our member[, and hold general meetings, including issuing notices and voting arrangements]];
* [the Protection of Vulnerable Groups (Scotland) Act 2007 to check that our coaches and volunteers are able to undertake regulated work with children and vulnerable adults];
* [our **sport**scotland regulatory requirements to [insert details of how personal data is processed to comply with these obligations]];
* [the Equality Act 2010, which requires us to process personal information to make reasonable adjustments where necessary]; and
* [insert any other applicable legal requirements].

We also process our members’ personal information in pursuit of our legitimate interests to:

* [promote and encourage participation in [insert sport] by sending members’ communications and booking information for upcoming competitions and events. Our competitions and events may be filmed or photographed and your personal information may also be used in images captured from our competitions and events, which we use for promotional, education and development purposes];
* [provide competition in [insert sport] by accepting and managing entries for our competitions and checking your personal information to ensure you are entered into the correct category];
* [monitor and develop participation in [insert sport] by monitoring members’ engagement and participation through [insert uses] and inviting our members to participate in surveys for researching and development purposes];
* [invite our members as award winners or guests to our annual awards [dinner / ceremony], which includes asking our members to nominate individuals for awards and shortlisting such individuals to select the winners, who we will then contact by email];
* [develop and maintain our members’ qualifications, including sending email communications to members to inform you of upcoming courses, renewal requirements and verify that you have completed any mandatory training and PVG / child protection requirements];
* [to identify and keep under review the existence or absence of equality of opportunity or treatment between groups of people within the same categories to promote or maintain equality within our sport];
* [respond to and communicate with members regarding your questions, comments, support needs or complaints, concerns or allegations in relation to [insert sport]. [insert details re complaints and disciplinary procedures, for example, we will use your personal information to investigate your complaint, to suspend membership, take disciplinary action, etc.]; and
* [insert any other legitimate interests and details of uses of personal data].

Where we process your personal information in pursuit of our legitimate interests, you have the right to object to us using your personal information for the above purposes. If you wish to object to any of the above processing, please contact us on [insert details]. If we agree and comply with your objection, this may affect our ability to undertake the tasks above for the benefit of you as a member.

## *Option 2 – Participants’ / Athletes’ personal data:*

We also need to process [participants’ / athletes’] personal information in pursuit of legitimate interests. This includes to ensure compliance with anti-doping rules and when you book a place with us for and attend a [coaching course, competition, event, training course, etc.], we need to collect your personal information so that we can honour your booking and to enable you to participate in the [course, competition, event, etc.].

Where we process your personal information in pursuit of our legitimate interests, you have the right to object to us using your personal information for the above purposes. If you wish to object to any of the above processing, please contact us on [insert details]. If we agree and comply with your objection, this may affect our ability to undertake the tasks above for the benefit of you as [a participant / an athletes].

## *Option 3 – Volunteers’ personal data:*

We will need to collect personal information relating to criminal convictions or alleged commission of criminal offences where you are required to complete a PVG check under the Protection of Vulnerable Groups (Scotland) Act 2007. This information will include your PVG certificate number, PVG membership number, date of issue and any relevant information in relation to your membership of the PVG Scheme.

If your PVG certificate is not clear, we will have a legitimate interest to collect references and any other applicable information to allow us to consider whether or not you can volunteer in a regulated role with children and/or vulnerable adults.

Where we process your personal information in pursuit of our legitimate interests, you have the right to object to us using your personal information for the above purposes. If you wish to object to any of the above processing, please contact us on [insert details]. If we comply with your objection, this may affect our ability to undertake the tasks above for the benefit of you as a volunteer.

## Other uses of your personal information

We may ask you if we can process your personal information for additional purposes. [For example, [insert examples].] Where we do so, we will provide you with an additional privacy notice with information on how we will use your information for these additional purposes.

## Who we share your personal information with

If your personal information is included in any images or videos taken by us at our competitions and events, we may share this with [insert name of club] for promotional and/or journalistic purposes.

We may be required to share personal information with statutory or regulatory authorities and organisations to comply with statutory obligations.

Such organisations include [the Health & Safety Executive, Disclosure Scotland, and Police Scotland] for the purposes of [safeguarding children, disciplinary matters and investigations and [insert any other purposes]].

For the purposes of ensuring that our sport operates in a safe environment, the sharing of personal information with individuals and advisers may also be required in the event that we receive complaints and concerns and are required to investigate matters, particularly those involving disciplinary, anti-doping and safeguarding concerns.

We may also share personal information with our professional and legal advisers for the purposes of taking advice.

[insert name of club] employs third party suppliers to provide services, including [IT, payroll, etc.]. These suppliers may process personal information on our behalf as “processors” and are subject to written contractual conditions to only process that personal information under our instructions and protect it.

In the event that we do share personal information with external third parties, we will only share such personal information strictly required for the specific purposes and take reasonable steps to ensure that recipients shall only process the disclosed personal information in accordance with those purposes.

## *Options 1 – SGB Members’’ Personal Data*

As [a registered / a member / an affiliated] club of [insert name of SGB] we are required to ensure that all of our members are members of [insert name of SGB] as a condition of our [registration / membership / affiliation].

We will share [insert details of what is shared and why] with [insert name of SGB] who will become a controller of your personal information when they receive it. [insert name of SGB]’s privacy notice explains how they use your personal information and can be accessed here [insert link].

## *Option 2 – Athletes’ / Participants’ personal data*

We publish the results of our competitions on our website. This includes competitors’ [name, age, result].

We may also be required to share personal information relating to athletes’ health in order to undertake activities to eliminate doping, at a sporting event, within our sport generally, or to provide information about doping, or suspected doping, to UK Anti-Doping or another body with responsibility for eliminating doping in our sport.

## How we protect your personal information

Your personal information is stored on our electronic filing system and our servers based in the [UK/EU], and is accessed by our [staff / volunteers] for the purposes set out above.

We have appropriate security measures to prevent personal information from being accidentally lost, or used or accessed unlawfully. We limit access to your personal information to those who have a genuine need to access it. Those processing your personal information will do so only in an authorised manner and are subject to a duty of confidentiality. [We continually test our systems and are ISO 27001 certified, which means we follow top industry standards for information security.]

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

## [Transferring your personal information out of the UK

Countries outside the UK have differing data protection laws, some of which may provide lower levels of protection of privacy. It is sometimes necessary for us to transfer your personal information outside the UK. In those cases, we will comply with applicable UK laws designed to ensure the privacy of your personal information.

We will transfer your personal information to:

* our service providers located outside the UK in [insert];
* event / competition / training camp organisers or associated service providers; and
* [insert details of any other recipients outside the UK].

Under data protection laws, we can only transfer your personal information to a country outside the UK where:

* [in the case of transfers subject to UK data protection law, ]the UK government has decided the particular country ensures an adequate level of protection of personal data (known as an ‘adequacy regulation’) further to Article 45 of the UK GDPR. A list of countries the UK currently has adequacy regulations in relation to is available here. We rely on adequacy regulations for transfers to the following countries: [list any particularly relevant, for example, countries in the EEA];
* [in the case of transfers subject to EEA data protection laws, the European Commission has decided that the particular country ensures an adequate level of protection of personal data (known as an ‘adequacy decision’) further to Article 45 of the EU GDPR. A list of countries the European Commission has currently made adequacy decisions in relation to is available here. We rely on adequacy decisions for transfers to the following countries: [list any particularly relevant]];
* there are appropriate safeguards in place, together with enforceable rights and effective legal remedies for you; or
* a specific exception applies under relevant data protection law.

Where we transfer your personal information outside the UK, we do so on the basis of an adequacy regulation or (where this is not available) [insert transfer mechanism, for example, legally-approved standard data protection clauses recognised or issued further to Article 46(2) of the UK GDPR]. In the event we cannot or choose not to continue to rely on either of those mechanisms at any time, we will not transfer your personal information outside the UK unless we can do so on the basis of an alternative mechanism or exception provided by UK data protection law and reflected in an update to this privacy notice.

Any changes to the destinations to which we send personal information or in the transfer mechanisms we rely on to transfer personal information internationally will be notified to you.

If you would like further information about personal information transferred outside the UK, please contact [insert contact details for data protection queries].]

## How long we keep your personal information

We will keep your personal information while you are a [insert description – for example, member and/or athlete]. Thereafter, we will keep your personal information for as long as is necessary to:

* respond to any questions, complaints or claims made by you or on your behalf;
* show you that we treated you fairly;
* keep records required by law.

Please note that in order to comply with UK Anti-Doping Rules, your personal information will be kept for a minimum of 12 months from the date of your membership, licence or competition.

[We have a data retention policy that sets out the periods for retaining and reviewing all information that we hold. This sets out different retention periods and you can request a copy by contacting us at [insert contact details].]

When it is no longer necessary to retain your personal information, we will delete or anonymise it.

## Your rights

You can exercise any of the following rights by writing to us at [insert address / email address][ or by logging on to your account at [insert details].

Your rights in relation to your personal information are:

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| --- | --- |
| Access | The right to be provided with a copy of your personal information (the right of access). |
| Rectification | The right to require us to correct any mistakes in your personal information. |
| To be forgotten | The right to require us to delete your personal information in certain situations. |
| Restriction of processing | The right to require us to restrict processing of your personal information in certain circumstances, for example, if you contest the accuracy of the data. |
| Data portability | The right to receive the personal information you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party in certain situations. |
| To object | The right to object:* at any time to your personal information being processed for direct marketing (including profiling);
* in certain other situations to our continued processing of your personal information, for example, processing carried out for the purpose of our legitimate interests.
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| Not to be subject to automated individual decision making | The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you. |

Any requests received by [insert name of club] will be considered under applicable data protection legislation.

## How to complain

If you have any concerns about our use of your personal information, you can make a complaint to us at [insert contact details for data protection queries].

If you remain dissatisfied, you have a right to raise a complaint with the Information Commissioner’s Office at [www.ico.org.uk](http://www.ico.org.uk)

## Do you need extra help?

If you would like this notice in another format (for example audio, large print, braille) please contact at [insert contact details for data protection queries].

# [Club template - consent section for privacy notice

## Why we need your personal information – marketing

Where you are happy for us to do so, we would like to contact you by email with information about [insert sport], our latest news and upcoming events / competitions / courses.

If you would like to receive email communications from us, please select from the following options below:

* [insert option – for example, information about [insert name of sport]];
* [insert option – for example, latest news];
* [insert option – for example, details of upcoming events].

[Once you submit your preferences to us, we will send you an email to confirm these. Please note that we will not email you with any information until you have confirmed your preferences by responding to our email.]

You may change your preferences at any time or request that we stop sending you email communications by contacting us at [insert details] [or logging in to your account at [insert details]]. There is also an ‘unsubscribe’ button at the bottom of every email communication we send.

[insert details of a third-party service provider or third party communications here if relevant].]