

Data Protection Policy

This policy applies to

- the national office of Special Olympics GB; athletes, volunteers, and paid staff
- its clubs and regions;
- all Special Olympics GB donors, sponsors, and supporters; and
- any other person, persons, entity or entities doing work for or on behalf of Special Olympics GB.

Introduction

The purpose of this policy is to enable Special Olympics GB to:

- comply with the law in respect of the data it holds about individuals;
- follow good practice;
- protect Special Olympics GB's athletes, staff, volunteers, sponsors/donors, and other individuals
- protect the organisation from the consequences of a breach of its responsibilities.

Brief introduction to Data Protection Act 1998

The Data Protection Act gives individuals the right to know what information is held about them. It provides a framework to ensure that personal information is handled properly.

The Act works in two ways. Firstly, it states that anyone who processes personal information must comply with eight principles, which make sure that such personal information is:

- Fairly and lawfully processed
- Processed for legally permitted purposes
- Adequate, relevant and not excessive in respect of the reason for which it was collected
- Kept accurate and up to date
- Not kept for longer than is necessary
- Processed in line with the rights of Data Subjects
- kept securely
- Not transferred to other countries without adequate protection

The second area covered by the Act provides individuals with certain rights, including the right to find out what personal information is held about them by the Data Controller, either on computer or paper records.

Policy statement

Special Olympics GB will:

- comply with both the law and reasonable standards of good practice
- respect individuals' data privacy rights
- be open and honest with individuals whose data is held
- provide training and support for all staff and volunteers who handle personal data, so that they can act confidently and consistently

Special Olympics GB recognises that its first priority under the Data Protection Act is to avoid causing harm to individuals. Information about athletes, staff, volunteers, and sponsors/donors will be used fairly, securely and not disclosed to any person unlawfully.

Secondly, the Act aims to ensure that the legitimate concerns of Data Subjects about the ways in which their data may be used are taken into account. Special Olympics GB will be open and transparent in its use of Personal Data.

Special Olympics GB is the Data Controller and is registered under the Data Protection Act 1998. All processing of personal data will be undertaken in accordance with the data protection principles.

Definitions

The Data Subject is the individual whose personal data is being processed. Examples include:

- athletes
- employees – current and past
- volunteers
- job applicants
- sponsors/donors
- users
- suppliers

Processing means the use made of personal data including:

- obtaining and retrieving
- holding and storing
- making available in furtherance of Special Olympics GB's objectives
- printing, sorting, matching, comparing, and destroying.

The Data Controller - the legal 'person', or organisation, that decides why and how personal data is to be processed. The Data Controller is responsible for complying with the Data Protection Act.

The Data Processor - the Data Controller may get another organisation to be their data processor, in other words to process the data on their behalf. The responsibility of what is processed and how, remains with the Data Controller and the data processor must faithfully comply with the Data Controller's instructions. Special Olympics GB aims to always put in place a written contract with the Data Processor who must have appropriate security.

The Data Protection Officer - the name given to the person in organisations who is the central point of contact for all data compliance issues.

Responsibilities

The Board of Trustees recognises its overall responsibility for ensuring that Special Olympics GB complies with its legal obligations.

The Data Protection Officer is currently Peju Oriunuta, who has the following responsibilities:

- Briefing the board on Data Protection responsibilities
- Reviewing data protection and related policies
- Advising staff and SOGB membership on Data Protection issues
- Ensuring that data protection induction and training takes place
- Handling subject access requests
- Approving non-standard disclosures of personal data

- Ensuring contracts with Data Processors have appropriate data protection clauses
- Ensuring data protection statement is uploaded and displayed on the website and online shop
- Approving data protection-related statements on publicity materials and letters

Each member of staff, and volunteer at Special Olympics GB who handles personal data will comply with the organisation's operational procedures for handling personal data (including induction and training) to ensure that good data protection practice is established and followed.

Each club/regional committee is responsible their club's/region's compliance with this policy and supporting guidance.

All staff and volunteers are required to read, understand and accept any policies and procedures that relate to the personal data they may handle in the course of their work.

Significant breaches of this policy will be handled under Special Olympics GB's disciplinary procedures.

Confidentiality

Because confidentiality applies to a much wider range of information than Data Protection, Special Olympics GB has a separate Confidentiality Policy. This Data Protection Policy should be read in conjunction with Special Olympics GB's Confidentiality Policy.

Special Olympics GB has a privacy statement for Data Subjects, setting out how their information will be used. This is available on request, and a version of this statement will also be used on the Special Olympics GB web site. (See Appendix A)

Staff, volunteers, and seasonal workers are required to sign a short statement indicating that they have been made aware of their confidentiality responsibilities. (See Appendix B)

In order to provide some services, Special Olympics GB may need to share users' personal data with other agencies (Third Parties). Written agreement will always be sought from the user before data is shared.

Where anyone within Special Olympics GB feels that it would be appropriate to disclose information in a way contrary to the confidentiality policy, or where an official disclosure request is received, this will only be done after discussions with a manager or the Data Protection Officer. All such disclosures will be documented.

Security

This section of the policy addresses security issues relating to personal data. It does not cover security of the building, business continuity or any other aspect of security.

Any recorded information on athletes, volunteers, staff, and sponsors will be:

- Kept in locked cabinets
- Protected by the use of passwords if kept on a computer or other electronic devices
- Destroyed by shredding or other secure methods if no longer needed

Access to information on the main database is controlled by a password and only those needing access are given the password. Staff and volunteers should be careful about information that is displayed on their computer screen and make efforts to ensure that no unauthorised person can view the data when it is on display.

Notes regarding personal data of users should be shredded or destroyed.

Data Recording and storage

Special Olympics GB has a single database holding basic information about all clients and volunteers. The back-up discs of data are kept securely. It also holds fundraising related data of sponsors, supporters and donors on a password protected database Raisers Edge which has restricted access.

Special Olympics GB regularly reviews its procedures for ensuring that its records remain accurate and consistent and, in particular:

- The database system is reviewed and re-designed, where necessary, to encourage and facilitate the entry of accurate data.
- Data on any Data Subject will be held in as few places as necessary, and all staff and volunteers will be discouraged from establishing unnecessary additional data sets.
- Effective procedures are in place so that all relevant systems are updated when notified about changes to a Data Subject's personal data.
- Staff and volunteers who keep more detailed information about individuals will be given additional guidance on accuracy in record keeping.
- Data will be corrected if shown to be inaccurate

Access to data

All athletes, staff, volunteers, and sponsors have the right to request access to all information stored about them. Any subject access requests will be handled by the Data Protection Officer within the required time limit.

Subject access requests must be in writing. All staff and volunteers are required to pass on anything which might be a subject access request to the Data Protection Officer without delay.

Where the individual making a subject access request is not personally known to the Data Protection Officer their identity will be verified before handing over any information.

The required information will be provided in permanent form unless the applicant makes a specific request to be given supervised access in person.

Staff has the right to access their file to ensure that information is being used fairly. If information held is inaccurate, the individual must notify the Chief Executive so that this can be recorded on file.

Transparency

Special Olympics GB is committed to ensuring that in principle Data Subjects are aware that their data is being processed and

- for what purpose it is being processed;
- what types of disclosure are likely; and

- how to exercise their rights in relation to the data.

Data Subjects will generally be informed in the following ways:

- Athletes: on the athlete membership form
- Staff: in the staff terms and conditions
- Volunteers: in the volunteer welcome/support pack
- Sponsors/donors: on MOU/sponsor agreement

Standard statements will be provided to staff for use on forms where data is collected.

Whenever data is collected, the number of mandatory fields will be kept to a minimum and Data Subjects will be informed which fields are mandatory.

Consent

Consent will normally not be sought for most processing of information about staff. Although staff details will only be disclosed for purposes unrelated to their work for Special Olympics GB (e.g. financial references) with their consent.

Information, including personal data, but excluding sensitive personal data, about volunteers will be made public according to their role, and consent will be sought for (a) the means of contact they prefer to be made public, and (b) any publication of information which is not essential for their role.

Information about athletes will only be made public with their consent. (This includes photographs.)

'Sensitive' data about athletes (including health information) will be held only with the knowledge and consent of the individual.

Consent should be given in writing, although for some services it is not always practicable to do so. In these cases verbal consent will always be sought to the storing and processing of data. In all cases it will be documented on the database that consent has been given & when.

All Data Subjects will be given the opportunity to opt out at any stage of their data being used in particular ways, such as the right to opt out of direct marketing (see below).

Special Olympics GB acknowledges that, once given, consent can be withdrawn, but not retrospectively. There may be occasions where Special Olympics GB has no choice but to retain data for a certain length of time, even though consent for using it has been withdrawn.

Direct marketing

Special Olympics GB will treat the following unsolicited direct communication with Data Subjects as marketing:

- seeking donations and other financial support;
- promoting any Special Olympics GB services;
- promoting Special Olympics GB events;
- promoting membership to supporters;
- promoting sponsored events and other fundraising exercises;

- marketing the products of Special Olympics GB Trading;
- marketing on behalf of any other external company or voluntary organisation.

Whenever personal data is first collected which might be used for any marketing purpose, this purpose will be made clear, and the Data Subject will be given a clear opt out. If it is not possible to give a range of options, any opt-out which is exercised will apply to all Special Olympics GB marketing. Special Olympics GB does not have a policy of sharing lists, obtaining external lists or carrying out joint or reciprocal mailings.

Special Olympics GB will only carry out telephone marketing where consent has been given in advance, or the number being called has been checked against the Telephone Preference Service.

Whenever e-mail addresses are collected, any future use for marketing will be identified, and the provision of the address made optional.

Staff training and acceptance of responsibilities

All staff that has access to personal data will be given copies of all relevant policies and procedures during their induction process, including the Data Protection Policy, Confidentiality Policy and the operational procedures for handling personal data. All staff will be expected to adhere to all these policies and procedures.

Data protection will be included in the induction training for all volunteers.

Special Olympics GB will provide opportunities for staff to explore data protection issues they may come across and procedural queries through training, team meetings, and supervisions.

Policy review

The policy will be reviewed in March each year by the Chief Executive and approved by the Board of Trustees. It will also be reviewed in response to changes in relevant legislation, contractual arrangements, good practice or in response to an identified failing in its effectiveness.

Date this policy was approved by the Board of trustees: 14/10/2014

Appendix A: Privacy statement

When you request information from Special Olympics GB, sign up to any of our services or buy things from us, Special Olympics GB obtains information about you. This statement explains how we look after that information and what we do with it.

We have a legal duty under the Data Protection Act to prevent your information falling into the wrong hands. We also ensure that the data we hold is accurate, adequate, relevant and not excessive.

Normally the only information we hold comes directly from you. Whenever we collect information from you, we will make it clear which information is required in order to provide you with the information, service or goods you need. You do not have to provide us with any additional information unless you choose to. We store your information securely on our computer system, we restrict access to those who have a need to know, and we train our staff in handling the information securely.

Most of our services are delivered through our clubs/regions. We will pass your contact details to your local club/region, so that they can let you know what activities are available in your area.

We would also like to contact you in future to tell you about other services we provide, and ways in which you might like to support Special Olympics GB. You have the right to ask us not to contact you in this way. We will always aim to provide a clear method for you to opt out. You can also contact us directly at any time to tell us not to send you any future marketing material.

You have the right to a copy of all the information we hold about you (apart from a very few things which we may be obliged to withhold because they concern other people as well as you). To obtain a copy, either ask for an application form to be sent to you, or write to the Data Protection Officer at Special Olympics GB. There is a charge of £10 for a copy of your data (as permitted by law). We aim to reply as promptly as we can and, in any case, within the legal maximum of 40 days.

Appendix B: Confidentiality statement for staff and volunteers

When working for Special Olympics GB, you will often need to have access to confidential information which may include, for example:

- Personal information about individuals who are supporters or otherwise involved in the activities organised by Special Olympics GB.
- Information about the internal business of Special Olympics GB.
- Personal information about colleagues working for Special Olympics GB.

Special Olympics GB is committed to keeping this information confidential, in order to protect people and Special Olympics GB itself. 'Confidential' means that all access to information must be on a need to know and properly authorised basis. You must use only the information you have been authorised to use, and for purposes that have been authorised. The information is required to be destroyed after its authorised use. You should also be aware that under the Data Protection Act, unauthorised access to data about individuals is a criminal offence.

You must assume that information is confidential unless you know that it is intended by Special Olympics GB to be made public. Passing information between a club/region and the national office or between Special Olympics GB and a mailing house, or *vice versa* does not count as making it public, but passing information to another organisation does count.

You must also be particularly careful not to disclose confidential information to unauthorised people or cause a breach of security. In particular you must:

- not compromise or seek to evade security measures (including computer passwords);
- be particularly careful when sending information between the national office and clubs/regions;
- not gossip about or share in any unauthorised manner, confidential information, either with colleagues or people outside Special Olympics GB;
- not disclose information — especially over the telephone — unless you are sure that you know who you are disclosing it to, and that they are authorised to have it.
- Keep information securely as further outlined in data protection training

If you are in doubt about whether to disclose information or not, do not guess. Withhold the information while you check with an appropriate person whether the disclosure is appropriate.

Your confidentiality obligations continue to apply indefinitely after you have stopped working for Special Olympics GB.

I have read and understand the above statement. I accept my responsibilities regarding confidentiality.

Signed:

Date: