

Merton Saints BMX Club Data Protection Policy



Start date:	Monday 13th July 2020
Last updated:	Monday 14th January 2021

Definitions

GDPR	The General Data Protection Regulation
The Club	Merton Saints BMX Club
Responsible Person	Catherine O'Brien (Club Secretary)
Register of Systems	A register of all systems or contexts in which personal data is processed by the Club

Merton Saints BMX Club is committed to processing data in accordance with its responsibilities under the General Data Protection Regulations (GDPR).

Sharing Data

Sharing information is an intrinsic part of any frontline practitioners' job when working with children and young people. The decisions about how much information to share, with whom and when, can have a profound impact on individuals' lives. Information sharing helps to ensure that an individual receives the right services at the right time and prevents a need from becoming more acute and difficult to meet.

Poor or non-existent information sharing is a factor repeatedly identified as an issue in Serious Case Reviews (SCRs) carried out following the death of or serious injury to a child. In some situations, sharing information can be the difference between life and death.

Fears about sharing information cannot be allowed to stand in the way of the need to safeguard and promote the welfare of children at risk of abuse or neglect. Every practitioner must take responsibility for sharing the information they hold, and cannot assume that someone else will pass on information, which may be critical to keeping a child safe.

Professor Munro's review of child protection concluded the need to move towards a child protection system with less central prescription and interference, where we place greater trust in, and responsibility on, skilled practitioners at the frontline.¹ Those skilled practitioners are in the best position to use their professional judgement about when to share information with colleagues working within the same organisation, as well as with those working within other organisations, in order to provide effective early help, to promote their welfare, and to keep children safe from harm.

The Lord Laming emphasised that the safety and welfare of children is of paramount importance and highlighted the importance of practitioners feeling confident about when and how information can be legally shared. He recommended that all staff in every service, from frontline practitioners to managers in statutory services and the voluntary sector should understand the circumstances in which they may lawfully share information, and that it is in the public interest to prioritise the safety and welfare of children.

Being alert to signs of abuse and neglect and taking action

All practitioners should be alert to the signs and triggers of child abuse and neglect. Abuse (emotional, physical and sexual) and neglect can present in many different forms. Indicators of abuse and neglect may be difficult to spot. Children may disclose abuse, in which case the decision to share information is clear, as actions must be taken to respond to the disclosure. In other cases, for example, neglect, the indicators may be more subtle and appear over time.

In these cases, decisions about what information to share, and when, will be more difficult to judge. Everyone should be aware of the potential for children to be sexually exploited for money, power, or status, and individuals should adopt an open and inquiring mind to what could be underlying reasons for behaviour changes in children of all ages.

If a practitioner has concerns about a child's safety or welfare, they should share the information with the local authority children's social care, NSPCC and/or the police, in line with local procedures. Security of information sharing must always be considered and should be proportionate to the sensitivity of the information and the circumstances. If it is thought that a crime has been committed and/or a child is at immediate risk, the police should be notified immediately.

1. Data protection principles

Article 5 of the GDPR requires that personal data shall be:

- a. Processed lawfully, fairly and in a transparent manner in relation to individuals;
- b. Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c. Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d. Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e. Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and
- f. Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

2. General Provisions

- a. This policy applies to all personal data processed by Merton Saints BMX Club;
- b. The Responsible Person shall take responsibility for the Club's ongoing compliance with this policy
- c. This policy shall be reviewed at least annually;
- d. Merton Saints BMX Club shall register with the Information Commissioner's Office as an organisation that processes personal data.

3. Lawful, Fair and Transparent Processing

- a. To ensure its processing of data is lawful, fair and transparent, Merton Saints BMX Club shall maintain a Register of Systems;
- b. The Register of Systems shall be reviewed at least annually;
- c. Individuals have the right to access their personal data and any such requests made to the members shall be dealt with in a timely manner.

4. Lawful Purposes

- a. All data processed by Merton Saints BMX Club must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests (see [ICO guidance](#) for more information);
- b. The Executive committee shall note the appropriate lawful basis in the Register of Systems;
- c. Where consent is relied upon as a lawful basis for processing data, evidence of opt-in consent shall be kept with the personal data;
- d. Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent should be clearly available and systems should be in place to ensure such revocation is reflected accurately in Club systems.

5. Data minimisation

- a. Merton Saints BMX Club shall ensure that personal data are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

6. Accuracy

- a. Merton Saints BMX Club shall take reasonable steps to ensure personal data is accurate;
- b. Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date.

7. Archiving / removal

- a. To ensure that personal data is kept for no longer than necessary, the Committee shall put in place an archiving policy for each area in which personal data is processed and review this process annually;
- b. The archiving policy shall consider what data should/must be retained, for how long, and why.

8. Security

- a. Merton Saints BMX Club shall ensure that personal data is stored securely using modern software that is kept-up-to-date;
- b. Access to personal data shall be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of information;
- c. When personal data is deleted this should be done safely such that the data is irrecoverable;
- d. Appropriate back-up and disaster recovery solutions shall be in place.

9. Breach

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, the Club Committee shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the ICO ([more information on the ICO website](#)).

Register of Systems

Start date:	Monday 13th July 2020
Last updated:	Monday 1st February 2021

SYSTEM OR PROCESS	PURPOSE	LAWFUL BASIS
British Cycling Club Manager	Membership payment and database of current members	Consent; Legitimate Interest
British Cycling Event Organiser	Race event entry and payment	Consent; Legitimate Interest
Eventbrite®	Session booking and payment	Consent; Legitimate Interest
Group Bookings	Third-party group bookings and payment	Consent; Legitimate Interest
Coach/volunteer qualifications	Evidence of required certification/qualification for active coaches and/or volunteers	Consent; Legitimate Interest
Xxx	Xxx	Xxx