

# Data Protection Policy

Glossary of terms:

In this policy, the following words and phrases have the following meanings:

Personal data	Any information relating to a natural person (the “Data Subject”) who may be identified directly or indirectly from that information
Sensitive data	A special category of personal data relating to a data subject’s racial or ethnic origin, their politics, their religious beliefs, their physical or mental health, their sexual orientation, or their trade union affiliation
Data Controller	The organisation which collects and determines the use of personal data
Processing	Any operation performed on personal data such as collection, storage, retrieval, transfer or transmission, dissemination, deletion/destruction, or adaption and alteration
Consent	The consent of a data subject means any freely given, specific, informed and unambiguous indication by statement or clear affirmative action, signifying agreement to the processing of their personal data
Data breach	A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of or access to personal data

## Introduction

Kent County Cricket Club, which for the purposes of this document includes its affiliates and associates and are collectively referred to as Kent Cricket, has a legal obligation to comply with all appropriate data protection legislation, primarily the EU General Data Protection Regulation (GDPR), but also such legislation as the Privacy and Electronic Communications Regulations (PECR).

Kent Cricket also has a duty to comply with guidance issued by the Department of Health, the NHS executive, NHS Information Authority, Information Commissioner’s Office, and other relevant advisory groups.

Kent Cricket needs to collect and use certain types of information about Individuals or Service Users (“data subjects”) who come into contact with Kent Cricket, in order to carry out its functions. This personal information will be collected and dealt with appropriately whether collected on paper, stored in a computer database, or recorded on other material, and there are safeguards to ensure this in the GDPR.

Kent Cricket is the Data Controller as defined by the GDPR, which means that it determines what purposes personal information held will be used for. It is also responsible for notifying the Information Commissioner of the data it holds or is likely to hold, and the general purposes that this data will be used for.

Kent Cricket may need to share data with other agencies such as, but not necessarily limited to, a local authority, regulated health service providers, police, Inland Revenue and other Government bodies.

## **Data Protection Principles**

The Individual/Service User will be made aware in most circumstances how and with whom their information will be shared. However, there are circumstances where the law allows disclosure of personal data (including sensitive data) without the data subject's consent.

These are:

- Carrying out a legal duty or as authorised by the Secretary of State
- Protecting the vital interests of an Individual/Service User or other person
- The Individual/Service User has already made the information public
- Conducting any legal proceedings, obtaining legal advice or defending any legal rights
- Monitoring for equal opportunities purposes – e.g. race, disability or religion
- Providing a confidential service where the Individual/Service User's consent cannot be obtained or where it is reasonable to proceed without consent: e.g. where we would wish to avoid forcing stressed or ill Individuals/Service Users to provide consent signatures

Kent Cricket intends to ensure that personal data is treated lawfully and correctly. To this end it will adhere to the principles of the GDPR. Specifically, the GDPR requires that personal information:

- Shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met
- Shall be obtained only for one or more of the purposes specified in the GDPR, and shall not be processed in any manner incompatible with those purposes
- Shall be adequate, relevant and not excessive in relation to those purposes
- Shall be accurate and, where possible, kept up to date
- Shall not be kept for longer than is necessary
- Shall be processed in accordance with the rights of data subjects under the GDPR
- Shall be kept secure by the Data Controller who takes appropriate technical and other measures to prevent the unauthorised or unlawful processing or accidental loss or destruction of, or damage to, personal information
- Shall not be transferred to a country or territory outside European Economic Area unless that country or territory ensures an adequate and approved level of protection for the rights and freedoms of Individuals/Service Users in relation to the processing of personal information
- Any data used for non-operational analysis purposes will be fully anonymised

Kent Cricket will, through appropriate management and strict application of criteria and controls:

- Observe fully conditions regarding the fair collection and use of information
- Meet its legal obligations to specify the purposes for which information is used
- Collect and process appropriate information, and only to the extent that it is needed to fulfill its operational needs or to comply with any legal requirements
- Ensure the quality of information used

- Ensure that the rights of people about whom information is held, can be fully exercised under the GDPR. These include:
  - The right to be informed that processing is being undertaken
  - The right of access to one's personal information
  - The right to prevent processing in certain circumstances
  - The right to correct, rectify, block or erase information which is regarded as wrong or inaccurate information
- Take appropriate technical and organisational security measures to safeguard personal information
- Ensure that personal information is not transferred abroad without suitable safeguards
- Treat people justly and fairly whatever their age, religion, disability, gender, sexual orientation or ethnicity when dealing with requests for information

When collecting data Kent Cricket will ensure that the Individual/Service User:

- Clearly understands why the information is needed
- Understands what it will be used for
- Understands what the consequences are should they decide not to give consent to processing
- Grants explicit consent, either written or verbal, for data to be processed
- Has given consent freely

Kent Cricket will ensure that:

- It has a Data Protection Officer with specific responsibility for ensuring compliance with all data protection legislation and guidelines
- Everyone handling or coming into contact with personal information understands that they are contractually responsible for following good data protection practice
- Everyone handling personal information is appropriately trained and supervised
- It will regularly review and audit the ways it holds, manages and uses personal information
- It makes all personnel aware that a breach of the rules and procedures identified in this policy may lead to disciplinary action being taken against them

## **Data Storage**

Information and records relating to all data subjects will be stored securely and will only be accessible by authorised personnel for the performance of their specified roles.

Information will be stored for only as long as it is needed, is relevant, or as required by statute, and will be disposed of appropriately (e.g. un-recoverable deletion of digital data; shredding of paper documents)

## **Right of Access**

All Individuals/Service Users have the right to know what information Kent Cricket holds about them. In accordance with the GDPR, Kent Cricket will respond to a Subject Access Request (SAR) within 1 calendar month, or if the request is particularly complex will advise the requester of the extended timescale. Kent Cricket will make no charge for responding to an SAR unless the request is complex, frivolous, or a repeat. Any charge will be sufficient to cover Kent Cricket's direct cost of handling the request.



## **Right to be forgotten**

All Individuals/Service users have the right to have their data deleted/destroyed, the “Right To Be Forgotten” (RTBF). Kent Cricket will comply with an RTBF request without undue delay unless the data is being retained for statutory purposes or where Kent Cricket can demonstrate that retention is necessary within the provisions of the GDPR (e.g. for the establishment, exercise, or defence of a civil claim).

## **3<sup>rd</sup>- party data sharing**

Kent Cricket will not, without the explicit consent of the data subject, share personal data with any 3<sup>rd</sup>-party unless the sharing is strictly for the performance of Kent Cricket’s operational functions (e.g. outsourcing of business functions); unless the sharing is required by law or statute; or otherwise legitimate without consent as set down in the GDPR.

## **Breach reporting**

In the event of a serious data breach Kent Cricket will:

- Notify the Information Commissioner’s Office (ICO) of a reportable data breach within the mandatory 72 hours of any personnel becoming aware of the breach
- Will notify without undue delay all data subjects who have been, or could potentially be, adversely affected by the breach

This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments made to the GDPR.

Further information regarding the GDPR can be found at:

[www.ico.org.uk](http://www.ico.org.uk)  
[www.eugdpr.org](http://www.eugdpr.org)

