

# Clubs template privacy notice wording

*This template sets out the headings required under 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 the square brackets.*

## What we need <sup>1</sup>

[insert background information re club, such as structure, whether affiliated with any other organisation, for example, Scottish Curling etc.]

[insert name of club] will be a “controller” of the personal information that you provide us [in this form / through this website etc.], [unless otherwise stated]. <sup>2</sup>

### **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 on behalf of a child under the age of [insert age limit]), we will ask you for the following personal information:

- [contact details] <sup>3</sup> – name, address, email address, and 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.].

## Why we need your personal information – contractual purposes <sup>4</sup>

### **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], <sup>5</sup> membership renewals, membership fees', information, etc.]; and
- [insert any other contractual membership requirements].

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.

### **Option 2 – Participants' personal data:**

When you book a place with us for and attend a [coaching course, competitions, 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, competitions, event, etc.]

If you do not provide us with all of the personal information that we need to collect then this may affect our ability to book your place. <sup>6</sup>

## **Why we need your personal information – legitimate purposes**

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

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

- [promote and encourage participation in the sport of Curling 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 the sport of Curling 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 the sport of Curling 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];
- [respond to and communicate with members regarding your questions, comments, support needs or complaints, concerns or allegations in relation to the sport of Curling. [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 – 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.

## **Why we need your personal information – legal obligations**

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 sportscotland 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].

## **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] 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 and [insert any other purposes].

We may also share personal information with our professional and legal advisors 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. <sup>10</sup>

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.

### **Option 1 – Scottish Curling members’ personal data** <sup>11</sup>

As an affiliated club of Scottish Curling we are required to ensure that all of our members are members of Scottish Curling as a condition of our affiliation.

We will share [insert details of what is shared and why] with Scottish Curling who will become a controller of your personal information when they receive it. Scottish Curling’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].

## **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 are required to transfer your personal information outwith the EU for the purposes of [insert details – for example, entering athletes into competitions, booking travel arrangements for training camps, etc.]. Where your personal information is transferred outwith the EU, we will provide you with information regarding the safeguards that we have put in place with the recipient country to protect your personal information. <sup>12</sup>

## **How long we keep your personal information** <sup>13</sup>

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

We will only keep your personal information for as long as necessary to provide you with membership services. Unless you ask us not to, we will review and possibly delete your personal information where you have not renewed your membership with us for [insert number] years.

We will keep certain personal information of members for longer in order to confirm your identity, when you were a member of [insert name of club] and for how long. We need to do this to [comply with the Companies Act 2006, which requires us to keep a register of members] or [in the event of a claim against [insert name of club]].

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

We keep our athletes’ personal information for [insert details of period or criteria used to determine period].

[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]].

## 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:

- you have a right to request access to the personal information that we hold about you by making a “subject access request”;
- if you believe that any of your personal information is inaccurate or incomplete, you have a right to request that we correct or complete your personal information;
- you have a right to request that we restrict the processing of your personal information for specific purposes; and
- if you wish us to delete your personal information, you may request that we do so.

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

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### 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 Curling];
- [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.] 15

You may change your preference 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].] 16 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]. 17

## Notes

1 This section lists out the types of personal data that the controller will collect from individuals. It is only strictly necessary to set out these categories when collecting personal data from a third party. However, if a club has one privacy notice for a for, / application that allows parents to provide personal data on behalf of their children then it is useful for the categories to be included.

2 If a club collects personal data of which it is the controller and then discloses such person data to a third party (for example, Scottish Curling) and that third party becomes the controller of the disclosed personal data, we would recommend that the privacy notice clearly states this.

3 Specify the types of contact details required – for example, name, address, email address, etc.

4 Controllers need to set out the purposes/reasons why they process personal data and the legal basis for such processing. The template separates out the purposes under the headings of the separate legal basis. Clubs should use the headings that apply and have a separate section for each legal basis.

Not all headings will apply and clubs should draft text that suits them.

5 Where the club is a company, this would be a legal obligation – see text below.

6 Where a controller's legal basis is the performance of a contract with the individual, the privacy notice needs to set out the consequences of individuals failing to provide personal data.

7 Where personal data is being processed under the "legitimate interests" legal basis, the controller's privacy notice needs to highlight individual's right to object to the processing. This also applies where the controller's legal basis is that the processing is necessary to perform a task carried out in the public interest.

This template includes this text under each of the options for the "legitimate interests" legal basis. Please see the separate briefing notes for further information.

8 Where the club is a company

9 Privacy notices must include details of any recipients of categories of recipients of personal data, together with the legal basis for sharing such personal data.

There are some options below for clubs to consider. However, clubs will also need to prepare their own text for any other sharing. If any sharing is undertaken for "legitimate interests", there will need to be a paragraph highlighting individuals' right to object to this sharing.

10 Whilst we have provided some options below for clubs to choose from, any third party external suppliers that process personal data on behalf of clubs will need to be referred in the relevant privacy notice.

- 11 Scottish Curling makes it a requirement that individual members of clubs are members of Scottish Curling. Therefore, you need to include this statement within the club's privacy notice regarding disclosure of personal data to Scottish Curling.
- 12 Personal data should not be transferred outwith the EU unless there are appropriate safeguards in place as set out under the GDPR.
- 13 Privacy notices need to include the applicable retention period for personal data or criteria used to determine the retention period.
- 14 If a club is using consent as a legal basis, individuals will need to be provided with the information set out above in a privacy notice, together with this text in place the sections setting out why the clubs needs personal data.
- 15 This statement is required where an individual who is neither a member nor has previously engaged with the club signs up to receive communications – a “double opt-in”.
- 16 Where individuals sign up to receive marketing communications online, the club must provide them with an option to withdraw these online.
- 17 Some clubs may use MailChimp or other marketing service providers. If so, please include details here. This will also need to include details of whether the servers are based outwith the EU.

For example, we understand that MailChimp's servers are based in the US but have signed up to the “Privacy Shield”, which is an agreement between the US and EU Commission relating to the protection of personal data – this constitute a “safeguard” under the GDPR.

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