

DS26 - Data Protection – Guidelines for Clubs

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The Data Protection Act 1998 is an Act of Parliament of the United Kingdom of Great Britain and Northern Ireland which defines UK law on the processing of data on identifiable living people. It is the main piece of legislation that governs the protection of personal data in the UK.

Why is the Act Important?

- It's the law
- It protects information about ourselves
- Complaints can be made to the Information Commissioners Office where there is a case of non-compliance by a Club or individual

What does it cover?

- Personal data – that which relates to an individual who can be identified by the data and from other information which may be in someone's possession
- Includes information about living people, facts and opinions
- Data held on paper or electronically including computer records, mobile phone data and video recordings
- Information containing facts about health, criminal convictions or racial or ethnic origin
- Obtaining, recording, retrieving, holding, disclosing and using the data

The Eight Principles of the Act are:

1) Personal data will be processed fairly and lawfully

Have a legitimate reason for collecting and using the data and tell the individual what you will be doing with their data

2) Processed for specified, lawful and compatible purposes

Open about the reasons for obtaining personal data

3) Adequate, relevant and not excessive

Hold sufficient personal data about an individual to do the job and not hold more information that is needed

4) Accurate and up to date

Take reasonable steps to ensure the information is accurate and up to date

5) Not kept for longer than necessary

Consider the purpose for why you hold the information and review accordingly how long you keep it

6) Processed in accordance with the rights of the individual

The Act gives certain rights to individuals. The main ones to note are – any individual has the right to view certain information that is held about them, the right to prevent the processing of their personal information and the right to say no to marketing information

7) Processed with appropriate security

Be aware of how personal and sensitive personal data is protected. Lock filing cabinets, change passwords regularly on computers, password protect documents

8) Not transferred outside the European Economic Area without adequate protection

Do not transfer outside of the EEA unless that country has adequate protection for personal and sensitive personal data e.g. USA have 'Safe Harbor' scheme

How does this relate to a Riding Club or Centre?

- Clubs and Centres have members who are data subjects
- They collect and store personal data
- They have an individual who is responsible for handling and storing the data – usually the Secretary / Membership Secretary
- For any junior members, parental consent should always be sought for the processing of their personal data
- If you plan to publish any personal data, for example posting results on a website, then you need to ensure your data protection statement covers this requirement

What do Clubs & Centres need to do to comply?

- Ensure any forms that collect Personal Data include a data protection statement such as:

'An Example Riding Club will use your personal data for the purpose of your involvement in the Riding Club and British Riding Clubs and I understand that by submitting this form, I am consenting to receiving information about the Riding Club and British Riding Clubs by post, email, SMS/MMS, online or phone unless stated otherwise. I also understand that in order to fulfil my membership request, my details will be passed to British Riding Clubs at the British Horse Society.'

- Ensure all records are kept securely and up to date – locked away, password protected documents on computers
- Inform British Riding Clubs Head Office of any changes to the Personal Data that is held e.g. addresses, names
- Do not give any contact details for any members to anyone outside of the Club / Centre
- Ensure that only nominated (ideally no more than three) Club officials have access to Personal Data and understand how to comply with the Act
- Do not disclose and personal data to anyone other than British Riding Clubs Head Office or other Club officials
- Ensure that any emails that are sent to more than one individual, email addresses and blind copied (BCC'd)

Further Information

- For further information about Data Protection can be found at the Information Commissioners Office at www.ico.org.uk