

# GDPR & Data Protection Policy

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Welsh Athletics places great importance on looking after company and personal data. This policy sets out how we actively manage the data collected, stored, and used - both about you and about others. Please discuss with your manager any observations or concerns about data handling at any time and help keep our data up to date by telling your manager when your personal data changes. Such as when you have a new home address or bank account.

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## Introduction

Welsh Athletics needs to hold and use information about its employees, job applicants, athletes, members and suppliers, in order to carry out its business. Where the information stored constitutes personal data that relates to a living individual, we are obliged to comply with the requirements of the Data Protection Act, 2018, and General Data Protection Regulation (GDPR) 2018, as amended.

This Policy sets out what data will be retained and how this data will be managed. This policy should be read in conjunction with our **Privacy Notices** covering different groups of people.

## Data Protection Principles

Welsh Athletics is required to ensure that personal data is:

- processed fairly and lawfully.
- processed only for specific purposes.
- adequate, relevant and not excessive.
- accurate and kept up to date.
- kept for no longer than is necessary.
- kept in accordance with your rights; and
- kept securely and not transferred outside the European Economic Area unless an adequate level of protection for your rights is in place.

In essence, this means that we aim to tell you, in writing, what information we hold about you, the legal reason we hold it, as below, from whom we have obtained it, to whom we will disclose it, where the data is being transferred to (if outside the UK), how the data is to be protected, and the retention period of the data.

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<u>Approved by:</u>	<b>SMT</b>	<u>Audience:</u>	<b>Staff</b>	

## Personal Data, and the legal reasons why we hold it

The following are the legal options for holding your data:

- You give your consent
- Processing is necessary for the implementation and performance of a contract with you
- Compliance with a legal obligation
- Processing is necessary to protect the vital interests of yourself or another person
- The data is necessary for the performance of a task carried out in the public interest
- Welsh Athletics has a legitimate interest in holding the data, which could be stored by a third party (someone acting on Welsh Athletics' behalf).

## Employment

Much of the personal or sensitive personal data stored by an organisation will relate to employment.

In terms of employment, these are the reasons why we keep and process data:

- considering your suitability for employment;
- administration of the payroll;
- provision of employee benefits and equipment;
- compliance with legal requirements;
- performance monitoring;
- absence management;
- in connection with disciplinary matters;
- to establish your training and/or development requirements;
- to establish a contact point in an emergency.

Most of the above data will be provided by you at recruitment or thereafter, with some provided by your manager, HR or Payroll.

## Sensitive Personal Data

In addition, Welsh Athletics may hold, use and otherwise process sensitive personal data. Sensitive personal data is, according to the GDPR, personal data which consists of the following:

- your racial or ethnic origin;
- your political opinions;
- your religious or similar beliefs;
- your membership or otherwise of a trade union;
- your physical or mental health or condition;
- your sexual life;
- your commission or alleged commission of any offence; or
- proceedings relating to such an offence.

Version:	WAGO17	Welsh Athletics Data Protection Policy		Pg 2
Last reviewed:	Oct 2021	Policy owner:	Head of Corporate Services	
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We envisage processing sensitive personal data in the following circumstances:

- information relating to your physical or mental health or condition, for health monitoring purposes, assessing your suitability for work and for equal opportunities monitoring;
- information relating to your racial or ethnic origin where relevant to any application for a work permit and for equal opportunities' monitoring;
- information relating to your membership or otherwise of a trade union for the purpose of undertaking consultations with employees where we are required to by law;
- information relating to your commission or alleged commission of any offence and proceedings relating to such an offence where appropriate for determining your suitability for employment initially and on an ongoing basis.

A high level of security will be in place for this type of data and limited access will apply.

### **Obligations relating to your Personal Data**

Personal data and sensitive personal data will be held, both manually and on computer. Such data shall only be kept for as long as necessary, in accordance with legislation and Welsh Athletics' **Data Retention Policy**.

In order to enable us to comply with the obligation to keep data up to date, you are required to immediately notify Welsh Athletics of any changes to your personal details including, without limitation, any changes to your name, address, emergency contacts (employees only) and bank details.

### **Obligations relating to the Personal Data of Others**

Welsh Athletics will not make use of, divulge, or communicate to any person, any personal data or sensitive personal data relating to any third parties, including without limitation the following:

- applicants for employment (successful and unsuccessful);
- employees and former employees
- other individuals who are doing work or have done work for Welsh Athletics

Breach of this requirement will be treated very seriously and, where appropriate, disciplinary action will be taken against the relevant employees. You should also be aware that, in certain circumstances, someone making an unauthorised disclosure of personal data, could be committing a criminal offence.

Welsh Athletics will carry out a **Data Protection Impact Assessment** when implementing new technology, or dealing with processing involving high risk for individuals.

Version:	WAGO17	Welsh Athletics Data Protection Policy		Pg 3
Last reviewed:	Oct 2021	Policy owner:	Head of Corporate Services	
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## Data Subject Rights

The GDPR gives employees certain rights in connection with personal and sensitive personal data which relates to them.

These are your rights in relation to your personal data:

- to be informed of what data we hold, why we hold it and where it came from. This will be explained at the point of requesting the information.
- to make a subject access request and (subject to certain legal exemptions) to receive copies of your personal data which we hold. If you wish to exercise this right, you must make a request in writing to a senior member of staff. There will normally be no charge for providing the information you have requested, and it will normally be provided within one month from the date of request.
- to have any inaccurate data corrected or erased.
- to restrict processing.
- data portability.
- to object to the data being held and processed. This may, however, not result in us withdrawing our holding and processing of the data.
- to withdraw consent under certain circumstances.
- Other rights in relation to automated decision making and profiling.
- to lodge a complaint with a supervisory authority.

Where Welsh Athletics decides to use an external data processor, this will be detailed in the written contract. This will ensure that both sides understand their responsibilities.

Data relating to children may require the parents' consent.

Welsh Athletics is obliged to report data breaches within 72 hours. Disciplinary action will be taken against you should you not report a breach immediately you are aware one has occurred.

## Equality, Diversity & Inclusion

### Commitment

Welsh Athletics is committed to being a sector-leading National Governing Body and to lead the way on embedding an equal and inclusive culture and that supports the development and sustainability of our sport. Welsh Athletics has a zero-tolerance approach towards bullying, harassment, victimisation, discrimination, and all unacceptable behaviour.

Our EDI Policy can be found here : <https://www.welshathletics.org/en/page/corporate-documents>

### Grievances

Version:	WAGO17	Welsh Athletics Data Protection Policy		Pg 4
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Where an employee considers that they have been unlawfully discriminated against, or if the complaint involves alleged bullying, harassment, or racism, they may use Welsh Athletics' Grievance Policy and Anti-Bullying Policy to make a complaint. Welsh Athletics will take any complaint seriously and will seek to resolve any grievance that it upholds.

Version:	WAGO17	Welsh Athletics Data Protection Policy		Pg 5
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