



ERIC LIDDELL
SPORTS CENTRE

at Eltham College

Privacy Notice

Last reviewed: May 2018



Who we are

This privacy notice relates to FSSM Ltd, trading as Eric Liddell Sports Centre, which is the Data Controller for the purposes of the relevant legislation ("Data Protection Law")¹. FSSM Ltd is a registered company with company number 03113910, and is registered at Eltham College, Grove Park Road, London SE9 4QF. For the remainder of this document this entity will be referred to as Eric Liddell Sports Centre ("the Centre") as this is the name by which most of our users know us.

What this privacy notice is for

This policy is intended to provide information about how the Centre will use (or "process") personal data about individuals including its staff, its current, past and prospective members, and any others who enter into a relationships with the Centre for the use of its facilities or the supply of services.

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Staff, members, users and contractors are all encouraged to read this Privacy Notice and understand the Centre's obligations.

This Privacy Notice applies alongside any other information the Centre may provide about a particular use of personal data, for example when collecting data via an online or paper form.

This Privacy Notice also applies in addition to the Centre's other relevant terms and conditions and policies, including:

- any contract between the Centre and its staff, members or users, or suppliers;
- the Centre's CCTV policy;
- the Centre's retention of records policy;
- the Centre's Privacy Notice for staff;
- the Centre's safeguarding, pastoral, and health and safety policies, including as to how concerns or incidents are recorded; and
- the Centre's IT policies, including its Acceptable Use of IT policy.

Anyone who works for, or acts on behalf of, Eric Liddell Sports Centre (including staff, volunteers and service providers) should also be aware of and comply with this Privacy Notice, and where appropriate, the Centre's Privacy Notice for staff, which also provides further information about how personal data about those individuals will be used.

Responsibility for data protection

The Centre has appointed the Centre Manager as Privacy and Compliance Officer who will deal with all your requests and enquiries concerning the Centre's uses of your personal data (see section on Your Rights below) and endeavour to ensure that all personal data is processed in compliance with this policy

¹ By 25 May 2018, the relevant legislation will include both the General Data Protection Regulation (EU 2016/679) and the UK Data Protection Act 2018, as well as potentially other relevant supporting legislation.



and Data Protection Law. The Centre Manager may be contacted at info@elsc.london, or by telephone on 020 8851 9111.

Why the Eric Liddell Sports Centre needs to process personal data

In order to carry out its ordinary duties to staff, members and users, the Centre needs to process a wide range of personal data about individuals (including current, past and prospective staff, members or users) as part of its daily operation.

Some of this activity the Centre will need to carry out in order to fulfil its legal rights, duties or obligations – including those under a contract with its staff and members.

Other uses of personal data will be made in accordance with the Centre's legitimate interests, or the legitimate interests of another body, provided that these are not outweighed by the impact on individuals, and provided it does not involve special or sensitive types of data.

The Centre expects that the following uses will fall within that category of its (or its community's) "legitimate interests":

- Providing access to and the safe operation of sporting facilities to the local community;
- Maintaining a register of members who have particular privileges in relation to access to and use of the sports facilities;
- Maintaining a register of key contacts at clubs and organisations representing groups of users who wish to have regular access to and use of the sports facilities;
- Maintaining relationships with members and users, including direct marketing or fundraising activity;
- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as tax, diversity or gender pay gap analysis);
- To enable relevant authorities to monitor the Centre's performance and to intervene or assist with incidents as appropriate;
- To give and receive information and references about past, current and prospective staff;
- To safeguard users' welfare;
- To monitor (as appropriate) use of the Centre's IT and communications systems in accordance with the Centre's Acceptable Use of IT policy;
- To promote the Centre's facilities and activities to current and potential members and users through the use of photographic images;
- For security purposes, including CCTV, in accordance with the Centre's CCTV policy;
- To carry out or cooperate with any Centre or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for the Centre's purposes, including to obtain appropriate professional advice and insurance for the Centre.

In addition, the Centre will on occasion need to process **special category personal data** (concerning health, ethnicity, religion, or sexual life) or criminal records information (such as when carrying out DBS checks) in accordance with rights or duties imposed on it by law, including as regards safeguarding and employment, or from time to time by explicit consent where required. These reasons will include:



- To safeguard the welfare of users and provide appropriate supervisory (and where necessary, medical) care, and to take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition or other relevant information where it is in the individual's interests to do so: for example for medical advice, for social protection, safeguarding, and cooperation with police or social services, for insurance purposes or to caterers or organisers of events who need to be made aware of dietary or medical needs;
- To provide sport or fitness services in the context of any special educational or medical needs of a member or user;
- In connection with employment of its staff, for example DBS checks, welfare, union membership or pension plans;
- As part of any Centre or external complaints, disciplinary or investigation process that involves such data, for example if there are special educational needs, health or safeguarding elements; or
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.

Types of personal data processed by the Centre

Data will include by way of example:

- names, addresses, dates of birth, telephone numbers, e-mail addresses and other contact details;
- bank details and other financial information, e.g. for members and users who pay fees, staff in receipt of salaries, suppliers etc;
- personnel files, including information about previous employment and ongoing data in connection with employment or safeguarding;
- where appropriate, information about individuals' health and welfare, and contact details for their next of kin;
- records of staff or visitor attendance at training or special events, and daily visitor records;
- references given or received by the Centre about staff;
- correspondence with and concerning staff, members and users past and present; and
- images of staff, members and users (and occasionally other individuals) engaging in sports-related activities at the Centre, and images captured by the Centre's CCTV system.

How the Centre collects data

Generally, the Centre receives personal data from the individual. This may be on paper or in electronic form, or simply in the ordinary course of interaction or communication (such as email, or by telephone).

However, in some cases personal data will be supplied by third parties (for example provision of next-of-kin details, or professional references for staff).



Who has access to personal data and who the Centre shares it with

Occasionally, the Centre will need to share personal information relating to its community with third parties, such as:

- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
- government authorities (e.g. HMRC, DfE, police or the local authority); and
- appropriate regulatory bodies (e.g. the **Health and Safety Executive**; the **Independent Schools Inspectorate**, the **Charity Commission** or the **Information Commissioner**.)

For the most part, personal data collected by the Centre will remain within the Centre, and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis). Particularly strict rules of access apply in the context of:

- medical records held and accessed only by the Centre Manager and his management team, or otherwise in accordance with express consent; and
- personnel and safeguarding files.

However, a certain amount of relevant information relating to any member or user with special educational needs or specific medical needs will need to be provided to staff more widely in the context of providing the necessary care and supervision that the member or user requires.

Staff, members and users are reminded that the Centre is under duties imposed by law and statutory guidance (including [Keeping Children Safe in Education](#)) to record or report incidents and concerns that arise or are reported to it, in some cases regardless of whether they are proven, if they meet a certain threshold of seriousness in their nature or regularity. This is likely to include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as the Local Authority safeguarding team or police. For further information about this, please view the Centre's Safeguarding Policy on the Eric Liddell Sports Centre website.

Finally, in accordance with Data Protection Law, some of the Centre's processing activity is carried out on its behalf by third parties, such as payroll service providers, IT system providers, web developers and cloud storage providers. In addition, the Centre shares a number of services with Eltham College, with whom it is co-located. These services include HR support, finance, facilities management, and IT support. These relationships are always subject to contractual assurances that personal data will be kept securely and only in accordance with the Centre's specific directions.

How long we keep personal data

The Centre will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. Our retention arrangements take account of the requirements of HMRC, our insurers and regulators, and of best practice with regard to working papers and communications files. We take our responsibilities seriously and ensure that both our data collection and retention arrangements align with the principles established in the regulation, that is, that data shall be:



- processed lawfully, fairly and in a transparent manner in relation to individuals;
- 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;
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- 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;
- 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
- 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 measures².

If you have any specific queries about how our retention policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact the Centre Manager. However, please bear in mind that the Centre will often have lawful and necessary reasons to hold on to some personal data even following such a request.

A limited and reasonable amount of information will be kept for archiving purposes, for example; and even where you have requested we no longer keep in touch with you, we will need to keep a record of the fact in order to fulfil your wishes (called a "suppression record").

Keeping in touch and supporting the Centre

The Centre will use the contact details of users and members to keep them updated about the activities of the Centre, including by sending updates and newsletters, by email and by post.

Should you wish to limit or object to any such use, or would like further information about them, please contact the Centre Manager in writing. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the Centre is nonetheless likely to retain some of your details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

Your rights

- Rights of access, etc.

² General Data Protection Regulation, Article 5



Individuals have various rights under Data Protection Law to access and understand personal data about them held by the Centre, and in some cases ask for it to be erased or amended or have it transferred to others, or for the Centre to stop processing it – but subject to certain exemptions and limitations.

Any individual wishing to access or amend their personal data, or wishing it to be transferred to another person or organisation, or who has some other objection to how their personal data is used, should put their request in writing to the Centre Manager by post to the Eric Liddell Sports Centre, Mottingham Lane, London, SE9 4QF or by email info@elsc.london.

The Centre will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event within statutory time-limits (which is one month in the case of requests for access to information).

The Centre will be better able to respond quickly to smaller, targeted requests for information. If the request for information is manifestly excessive or similar to previous requests, the Centre may ask you to reconsider, or require a proportionate fee (but only where Data Protection Law allows it).

- Requests that cannot be fulfilled

You should be aware that the right of access is limited to your own personal data, and certain data is exempt from the right of access. This will include information which identifies other individuals or information which is subject to legal privilege (for example legal advice given to or sought by the Centre, or documents prepared in connection with a legal action).

The Centre is also not required to share any confidential reference given by the Centre itself for the purposes of the education, training or employment of any individual.

You may have heard of the "right to be forgotten". However, we will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your personal data: for example, a legal requirement, or where it falls within a legitimate interest identified in this Privacy Notice. All such requests will be considered on their own merits.

- Requests by young data subjects

Children under the age of 18 can make subject access requests for their own personal data, provided that, in the reasonable opinion of the Centre, they have sufficient maturity to understand the request they are making. A young user of any age may ask a parent or other representative to make a subject access request on his/her behalf.

Indeed, while a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger users, the law still considers the information in question to be the child's: for older users, the parent making the request may need to evidence their child's authority for the specific request.

Young people aged around 13 and above are generally assumed to have this level of maturity, although this will depend on both the child and the personal data requested, including any relevant circumstances at home. Slightly younger children may however be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

- Parental requests, etc.



It should be clearly understood that the rules on subject access are not the sole basis on which information requests are handled. Parents may not have a statutory right to information, but they and others will often have a legitimate interest or expectation in receiving certain information about young users without their consent. The Centre may consider there are lawful grounds for sharing with or without reference to that young person.

Where a young person seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, the Centre may be under an obligation to maintain confidentiality unless, in the Centre's opinion, there is a good reason to do otherwise; for example where the Centre believes disclosure will be in the best interests of the young person or other young people, or if required by law.

All information requests from, on behalf of, or concerning children under the age of 18 – whether made under subject access or simply as an incidental request – will therefore be considered on a case by case basis.

- Consent

Where the Centre is relying on consent as a means to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). Please be aware however that the Centre may not be relying on consent but have another lawful reason to process the personal data in question even without your consent.

That reason will usually have been asserted under this Privacy Notice, or may otherwise exist under some form of contract or agreement with the individual (e.g. an employment contract, or because a purchase of goods, services or membership has been requested).

Data accuracy and security

The Centre will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Individuals must please notify Centre reception of any significant changes to important information, such as contact details, held about them.

An individual has the right to request that any out-of-date, irrelevant or inaccurate or information about them is erased or corrected (subject to certain exemptions and limitations under Data Protection Law): please see above for details of why the Centre may need to process your data, and of who you may contact if you disagree.

The Centre takes appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around use of technology and devices, and access to Centre systems. All staff are made aware of this policy and their duties under Data Protection Law, and receive relevant, ongoing training.

This policy

The Centre will update this Privacy Notice from time to time. Any substantial changes that affect your rights will be provided to you directly, as far as is reasonably practicable.

Queries and complaints



Any comments or queries on this policy should be directed to the Centre Manager using the contact details provided above.

If an individual believes that the Centre has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should notify the Centre Manager in the first instance. You can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO), although the ICO recommends that steps are taken to resolve the matter with the Data Controller before involving the regulator.