



## **Employee Data Protection Policy**

# **PORTSMOUTH COMMUNITY FOOTBALL CLUB**

Version 1.0

February 2023

**Prepared by**

Name	Department/Role	Date
Darren Parker	Head of IT systems	08/11/2022

**Reviewed by**

*(this policy is under periodic review and PORTSMOUTH COMMUNITY FOOTBALL CLUB reserves the right to update or amended it at any time. Any amendments made will be notified to members of staff).*

Name	Department/Role	Date
Darren Parker	Head of IT systems	10/02/2023

**Approved by**

Name	Department/Role	Date
Darren Parker	Head of IT systems	10/02/2023

This policy is intended to fully comply with Data Protection legislation. However, if any conflict arises between the Data Protection legislation and this policy, Data Protection legislation will supersede this policy.

This policy will also be made available on request to the ICO.

## Table of Contents

Purpose .....	5
Support with Data Protection .....	5
Data Protection Office .....	5
HR.....	6
Data Protection Principles .....	6
Lawful, fairness and transparency .....	7
Lawful and fairness .....	7
Special categories or Criminal records processing .....	7
Assumed consent.....	8
Transparency.....	8
Purpose limitation.....	9
Data minimisation.....	10
Accuracy.....	10
Storage Limitation.....	10
Integrity and confidentiality (Security) .....	11
Third party processing .....	11
Physical files.....	12
Removable storage .....	12
Electronic data .....	12
Network backup.....	12
Data breaches .....	12
Accountability .....	12
Privacy by design and Data Protection Impact Assessments.....	13
Automated processing and Automated decision making.....	14
Direct Marketing.....	14
Transfer of data outside of European Economic Area (EEA) .....	14
Data Subject Rights to Access Personal Data.....	14
How to raise a Data Subject Access Request .....	16
Other data subject rights related to their personal data.....	16
How to request .....	17
How we process .....	17
Your obligations in relation to personal data .....	18
Staff data processing.....	19
Recruitment stage.....	19
Within employment.....	19

Left employment.....	20
Retention of data relating to members of staff.....	20

## Purpose

This policy defines how PORTSMOUTH COMMUNITY FOOTBALL CLUB Limited and/or a subsidiary of Portsmouth Football Limited Company and/or its parent company processes the data of potential, current and former employees, including agency workers, contractors, volunteers, interns and apprentices. This includes all data sources including paper, local network and cloud based.

PORTSMOUTH COMMUNITY FOOTBALL CLUB Limited is a data controller of personal data collected, for the purpose of the Data Protection Act 1998 (“DPA”) and the General Data Protection Regulation (EU) 2016/679 (GDPR). This means that we are responsible for deciding how we hold, use and store personal information.

There are a number of objectives set by this policy as listed below:

- This policy outlines the standards that must be observed when using data within the Portsmouth FC owned domain, the circumstances in which we will monitor use and the action we will take in respect of a breach of these standards.
- This policy will apply to all employees mentioned above. But, it is non-contractual and does not form part of any employment contract or third party agreement.

As a member of staff defined above, you will be considered a data subject and may also process personal data on the PORTSMOUTH COMMUNITY FOOTBALL CLUB behalf about other data subjects. This policy should therefore be read and adhered to.

- You must always comply with it when processing data on the PORTSMOUTH COMMUNITY FOOTBALL CLUB behalf in accordance with the duties of your role and responsibilities.

Compliance with this policy is required. Any breach of this policy or of other data protection legislation may lead to misconduct proceedings and will be dealt with under the PORTSMOUTH COMMUNITY FOOTBALL CLUB disciplinary procedure.

Any significant or deliberate breach of this policy such as accessing a data subject’s personal data without authority or unlawfully obtaining or disclosing a data subject’s personal data without the PORTSMOUTH COMMUNITY FOOTBALL CLUB consent will be considered gross misconduct and could lead to dismissal. For those not employed directly by PORTSMOUTH COMMUNITY FOOTBALL CLUB, you may have your contract terminated with immediate effect.

PORTSMOUTH COMMUNITY FOOTBALL CLUB may amend this policy at any time.

## Support with Data Protection

PORTSMOUTH COMMUNITY FOOTBALL CLUB has multiples sources of support for data protection. These are listed below for your reference:

Data Protection Office

<b>Data Protection officer</b>	Darren Parker
--------------------------------	---------------

<b>Email</b>	<a href="mailto:darrenparker@pompeyfc.co.uk">darrenparker@pompeyfc.co.uk</a>
<b>Postal Address</b>	Fratton Park, Frogmore Road, Portsmouth, Hampshire, PO4 8RA

HR

<b>Head of People and EDI</b>	Lina Small
<b>Email</b>	<a href="mailto:HR@pompeyfc.co.uk">HR@pompeyfc.co.uk</a>
<b>Postal Address</b>	Fratton Park, Frogmore Road, Portsmouth, Hampshire, PO4 8RA

You have the right to make an internal complaint that this policy being or has not been followed, you can also raise this as a formal grievance under the PORTSMOUTH COMMUNITY FOOTBALL CLUB grievance procedure.

## Data Protection Principles

In accordance with ICO and UK GDPR (article 5), there are seven key principles, and all staff must comply with these at all times when processing data. For reference these are listed below:

- processed lawfully, fairly and in a transparent manner in relation to individuals ('lawfulness, fairness and transparency')
- 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 ('purpose limitation')
- adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation')
- 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 ('accuracy')
- 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 ('storage limitation')
- 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 measures ('integrity and confidentiality')

## Lawful, fairness and transparency

Any processing of personal data should be lawful, fair, and transparent. It should be clear and transparent to individuals that personal data concerning them are collected, used, consulted or otherwise processed, and to what extent the personal data are, or will be, processed.

To ensure compliance it is therefore required that PORTSMOUTH COMMUNITY FOOTBALL CLUB and its employees may only collect, process and share personal data lawfully and fairly and for the specific purposes.

## Lawful and fairness

For processing of personal data to be lawful, PORTSMOUTH COMMUNITY FOOTBALL CLUB is required to identify the reasons for processing, this is called a “lawful basis” for our purpose, these are defined as follows:

- **Consent:** the individual has given clear consent for PORTSMOUTH COMMUNITY FOOTBALL CLUB to process their personal data for a specific purpose
- **Contract:** the processing is necessary for a contract PORTSMOUTH COMMUNITY FOOTBALL CLUB has with the individual, or because they have asked PORTSMOUTH COMMUNITY FOOTBALL CLUB to take specific steps before entering into a contract
- **Legal obligation:** the processing is necessary for PORTSMOUTH COMMUNITY FOOTBALL CLUB to comply with the law (not including contractual obligations)
- **Vital interests:** the processing is necessary to protect someone’s life
- **Public task:** the processing is necessary for PORTSMOUTH COMMUNITY FOOTBALL CLUB to perform a task in the public interest or for official functions, and the task or function has a clear basis in law
- **Legitimate interests:** the processing is necessary for PORTSMOUTH COMMUNITY FOOTBALL CLUB legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual’s personal data which overrides those legitimate interests

To comply with the above, PORTSMOUTH COMMUNITY FOOTBALL CLUB and its members of staff must only process personal data on the basis of one or more of the lawful basis listed above for processing. Before a processing activity starts for the first time and periodically during the lifespan, PORTSMOUTH COMMUNITY FOOTBALL CLUB will review the purpose of the processing activity, select the most appropriate basis for that processing.

In addition, a legitimate interest assessment is maintained, and activities should be recorded within for review.

Where PORTSMOUTH COMMUNITY FOOTBALL CLUB relies on consent as the lawful basis for processing, this requires the data subject to have given approval.

## Special categories or Criminal records processing

Data protection legislation also provides that the processing of special categories of personal data and criminal records personal data is only lawful in more limited circumstances where a special

condition for processing also applies (this is an additional requirement, the processing must still meet one of more of the conditions for processing set out above). The additional categories include:

- The data subject has given their explicit consent to the processing of their personal data for one of more specified purposes. This would potentially require a separate clear statement and must not be implied from other data subject's actions
- The processing is necessary for the purposes of carrying out obligations or exercising specific rights of either PORTSMOUTH COMMUNITY FOOTBALL CLUB or the data subject under employment law
- In the case of special categories of personal data, the processing relates to personal data which are clearly made public by the data subject
- The processing is necessary for the establishment, exercise or defence of legal claims

PORTSMOUTH COMMUNITY FOOTBALL CLUB from time to time may need to process special categories of personal data and criminal records personal data. This data must only be processed where there is one or more of these special lawful bases for processing.

Before processing any special categories of personal and criminal records data, you must notify the DPO and/or HR so that they may assess whether the processing complies with one of more these special conditions.

A clear records will be kept of all consents, including explicit consents, which covers what the data subject has consented to, what they were informed of when consent was given and when consent was given. This demonstrates PORTSMOUTH COMMUNITY FOOTBALL CLUB compliance with the data protection requirements for consent.

### Assumed consent

Consent cannot be assumed on other activities if granted on a specific activity. Request for consent must be clearly distinguishable and kept separate. Consent must also specifically cover the purposes of the processing and types of processing activity so separate consent is required for different types of processing. Data subjects have the right to withdraw consent to processing at any time, this must be clear and easy for them to withdraw.

### Transparency

Under the data protection legislation, the transparency principle requires PORTSMOUTH COMMUNITY FOOTBALL CLUB to provide specific information to data subjects through appropriate privacy notes. These must be:

- Concise
- Transparent
- Intelligible
- Easily accessible
- Use clear and plain language

Privacy notices may comprise general privacy statements applicable to a specific group of data subjects or may be independent privacy statements covering processing related to a specific purpose.



Whenever PORTSMOUTH COMMUNITY FOOTBALL CLUB collects personal data directly from data subjects (specifically potential, current or former employees), PORTSMOUTH COMMUNITY FOOTBALL CLUB must provide the data subject with all the information required to be included in a privacy notice. This includes:

- The identity and contact details of PORTSMOUTH COMMUNITY FOOTBALL CLUB (as Data controller) and any representative
- Where applicable, the identity and contact details of the person responsible for data protection
- The purposes for which the personal data will be processed
- The lawful basis or bases for processing
- Where PORTSMOUTH COMMUNITY FOOTBALL CLUB are relying on our legitimate interests (or those of a third party) as the lawful basis for processing, what those legitimate interests are
- The categories of personal data, unless they were obtained directly from the data subject
- The recipients, or categories of recipients, with whom the personal data may be shared
- Details of transfers to non-EEA countries and the sustainable safeguards applied
- The retention period for the personal data or, if that is not possible, the criteria to be used to determine the retention period
- The existence of the data subject's rights, including subject access, correction, erasure, restriction of processing, objection and data portability
- The right to withdraw consent to processing at any time, where consent is being relied on as the lawful basis for processing
- The right to lodge a complaint with the Information Commissioner's Office (ICO)
- Whether the provision of personal data is part of a statutory or contractual requirement or obligation, or a requirement necessary to enter into a contract, and the possible consequences of failing to provide the personal data
- The existence of any automated decision making, including profiling, and meaningful information about how decisions are made, the significance and consequences

PORTSMOUTH COMMUNITY FOOTBALL CLUB must issue a privacy notice when they first collect a data subject's personal data from them. If the personal data has been obtained from a third party, PORTSMOUTH COMMUNITY FOOTBALL CLUB must provide the notice information within a reasonable period of having obtained the personal data. This will be no longer than one month from the data of receipt.

If personal data is to be used to communicate with the data subject, the privacy notice information will be provided then first communication takes place, or if disclosure of the personal data to another recipient is proposed, it should be provided when the data is first enclosed. You must comply with these rules on privacy notices when processing data on PORTSMOUTH COMMUNITY FOOTBALL CLUB.

PORTSMOUTH COMMUNITY FOOTBALL CLUB will issue privacy notice when required but can also be requested from the Data Protection Office (DPO) or HR.

## Purpose limitation

Personal data must be collected only 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.

Personal data cannot be used for new, different or incompatible purposes from those disclosed to the data subject when they were first obtained, for example in an appropriate privacy notice, unless the data subject has been informed of the new purposes and the terms of this policy are otherwise complied with. This also includes special categories of personal data and criminal records personal data.

## Data minimisation

Personal data must be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed (data minimisation).

PORTSMOUTH COMMUNITY FOOTBALL CLUB will only collect personal data relevant to the specific purposes notified to the data subject. PORTSMOUTH COMMUNITY FOOTBALL CLUB staff only process personal data where their duties and responsibilities require it and do not process personal data for any reason which is unrelated. Additionally, any personal data collected is adequate and relevant for the intended purposes and not excessive. This includes special categories of personal data and criminal records personal data.

When personal data is no longer required, PORTSMOUTH COMMUNITY FOOTBALL CLUB must ensure that it is destroyed, erased or anonymised in accordance with PORTSMOUTH COMMUNITY FOOTBALL CLUBS rules on data retention and destruction defined below.

## Accuracy

Personal data must be accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that is inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.

PORTSMOUTH COMMUNITY FOOTBALL CLUB has a duty of care to ensure the data held about data subjects is accurate and up to date. Please keep PORTSMOUTH COMMUNITY FOOTBALL CLUB informed if your personal data changes so that our records can be updated. PORTSMOUTH COMMUNITY FOOTBALL CLUB cannot be held responsible for any errors in your personal data in this regard unless you have notified us of the relevant change. PORTSMOUTH COMMUNITY FOOTBALL CLUB will promptly update your personal data if you advise the organisation that the information has changed or is inaccurate.

As a member of staff defined above, you must also ensure that the personal data PORTSMOUTH COMMUNITY FOOTBALL CLUB hold about other data subjects is accurate and update to date where this is part of your role or responsibility. This includes special categories of personal data and criminal records personal data. Staff must check the accuracy of any personal data at the point of their collection and at regular intervals thereafter. Staff must take all reasonable steps to destroy, erase or update outdated personal data and to correct inaccurate personal data.

## Storage Limitation

Personal data shall be 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.

PORTSMOUTH COMMUNITY FOOTBALL CLUB will only retain personal data for as long as necessary to fulfil the legitimate business purposes for which they were originally collected and processed. This includes special categories of personal data and criminal records personal data. Staff must comply

with PORTSMOUTH COMMUNITY FOOTBALL CLUB's rules on data retention and destruction as defined below.

## Integrity and confidentiality (Security)

Personal data must be 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 measures.

PORTSMOUTH COMMUNITY FOOTBALL CLUB takes the security of personal data seriously and has implemented measures accordingly. This includes encryption and pseudonymisation of personal data where appropriate. PORTSMOUTH COMMUNITY FOOTBALL CLUB has also taken steps to ensure the ongoing confidentiality, integrity, availability and resilience of processing club processing systems and services and to ensure that, in the event of a physical or technical incident, availability and access to personal data can be restored in a timely manner. Periodic testing and evaluation is conducted to ensure processes are effective.

Data subjects are also responsible for protecting the personal data that PORTSMOUTH COMMUNITY FOOTBALL CLUB holds, and you must implement reasonable and appropriate security measures against unauthorised or unlawful processing of personal data and against their accidental loss, destruction or damage.

Staff are required to follow all procedures, and comply with all technologies and measures, that PORTSMOUTH COMMUNITY FOOTBALL CLUB put in place to maintain the security of personal data from the point of collection to the point of destruction.

## Third party processing

Where PORTSMOUTH COMMUNITY FOOTBALL CLUB uses third party service providers to process personal data on the organisation's behalf, additional security arrangements need to be implemented in contracts with those third parties to safeguard the security of personal data.

PORTSMOUTH COMMUNITY FOOTBALL CLUB can only share personal data with third-party service providers if they have been authorised to do so and confirmed measures and contractual arrangements have been put in place, this includes the following:

- The third party has a business need to know the personal data for the purposes of providing the contracted service
- Sharing the personal data complies with the privacy notice that has been provided to the data subject and if required, consent has been obtained
- The third party has agreed to comply with PORTSMOUTH COMMUNITY FOOTBALL CLUB's data security procedures and has put adequate measures in place to ensure the security of processing
- The third party only acts on PORTSMOUTH COMMUNITY FOOTBALL CLUB's documented instructions
- A written contract is in place between PORTSMOUTH COMMUNITY FOOTBALL CLUB and the third party that contains specific approved terms
- The third party will assist PORTSMOUTH COMMUNITY FOOTBALL CLUB in allowing data subjects to exercise their rights in relation to data protection and security of processing, including the notification of data breaches and data protection impact assessments
- The third party will delete or return all personal data to PORTSMOUTH COMMUNITY FOOTBALL CLUB at the end of the contract

- The third party will comply with audit requests

Approval must be sorted before any new agreement involving the processing of personal data by a third-party service provider is entered into, or an existing contract is amended.

PORTSMOUTH COMMUNITY FOOTBALL CLUB may only share personal data with other members of staff if they have a business need to know in order to perform their role or responsibilities.

### Physical files

Hard copy personnel files, which hold personal data are considered confidential and must be stored in locked filing cabinets. Only authorised members of staff, who have business need in order to perform their role or responsibilities will have access to these files.

### Removable storage

Personal data stored on removal storage devices must be kept in locked filing cabinets or locked drawers and cupboards when not in use by authorised members of staff.

### Electronic data

Personal data held in electronic format will be stored confidentially by means of password protection, encryption or pseudonymisation. Only authorised members of staff, who have business need in order to perform their role or responsibilities will have access to these files.

### Network backup

PORTSMOUTH COMMUNITY FOOTBALL CLUB utilises network backup processes to ensure personal data held in electronic format cannot be accidentally lost, destroyed or damaged. Personal data must not be stored on local computer drives or on personal devices.

### Data breaches

Data protection legislation requires PORTSMOUTH COMMUNITY FOOTBALL CLUB notify any personal data breach to the ICO within 72hours after becoming aware of the breach and, where there is a high risk to the rights and freedoms of data subjects, to the data subject themselves.

A personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data. This includes breaches that are the result of both accidental and deliberate causes.

PORTSMOUTH COMMUNITY FOOTBALL CLUB has procedures in place to deal with any suspected personal data breach and all staff are required to comply with these. If you know or suspect that a personal data breach has occurred, you must immediately inform the DPO at PORTSMOUTH COMMUNITY FOOTBALL CLUB providing any evidence in relation to the breach and follow PORTSMOUTH COMMUNITY FOOTBALL CLUBs Data Breach policy and response plan.

### Accountability

PORTSMOUTH COMMUNITY FOOTBALL CLUB is responsible for, and must be able to demonstrate compliance with the data protection principles. This means PORTSMOUTH COMMUNITY FOOTBALL CLUB and its staff must implement appropriate and effective processes and procedures to ensure compliance. Measures taken include:

- Appointed a person responsible for data protection to be responsible for data protection compliance and privacy matters within the business

- Kept written records of personal data processing activities
- Implemented a privacy by design approach when processing personal data and PORTSMOUTH COMMUNITY FOOTBALL CLUB will conduct and complete Data Protection Impact Assessments (DPIAs) where data processing has a high risk to the rights and freedoms of data subjects
- Integrated data protection requirements into PORTSMOUTH COMMUNITY FOOTBALL CLUB internal documents, including this data protection policy and associated policies and privacy notices
- Introduced a regular training programme for all members of staff on the data protection legislation and on their data protection duties and responsibilities and PORTSMOUTH COMMUNITY FOOTBALL CLUB also maintain a training record to monitor its delivery and completion
- Staff are informed and required to participate in mandatory data protection training
- Introduced regular reviews of PORTSMOUTH COMMUNITY FOOTBALL CLUB privacy measures and policies, procedures and contracts; and regular testing Portsmouth systems and processes to monitor to monitor and assess PORTSMOUTH COMMUNITY FOOTBALL CLUB ongoing compliance with the data protection legislation and the terms of this policy in areas such as security, retention and data sharing

## Privacy by design and Data Protection Impact Assessments

PORTSMOUTH COMMUNITY FOOTBALL CLUB are required to implement privacy by design measures when processing personal data by deploying processes and procedures to ensure compliance with the data protection legislation. Staff are required to ensure appropriate processes and procedures are used or considered where this is part of their role or responsibilities because these policies and procedures are under your control.

Where data processing has a high risk of impacting the rights or freedoms of data subjects, you must assist PORTSMOUTH COMMUNITY FOOTBALL CLUB in conducting and completing a Data Protection Impact Assessment (DPIA).

This will include, but not limited to:

- Automated processing and automated decision making activities, including profiling, and on which decisions are based that have legal effects or similar significant effects on data subjects
- Processing of special categories of personal data or criminal records personal data
- Processing of publicly accessible areas e.g. use of CCTV or bodycam footage

Before any new form of new technology, process or system is introduced, you must contact the DPO in order that a DPIA can be completed.

A DPIA will include a review of the new technology, program, process or system and it must contain a description of the processing operations and the purposes, an assessment of the necessity and proportionality of the processing in relation to those purposes, an assessment of the risks to individuals and the measures in place to address or mitigate those risks and demonstrate compliance.

## Automated processing and Automated decision making

Automated processing is any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to an individual. Automated decision making is the process of making a decision by automated means without any human involvement. These decisions can be based on factual data as well as on digitally created profiles or inferred data.

PORTSMOUTH COMMUNITY FOOTBALL CLUB does not conduct any automated processing and does not take any decisions based solely on automated decision making, including profiling.

## Direct Marketing

PORTSMOUTH COMMUNITY FOOTBALL CLUB is subject to legislation when marketing to clients and customers. If you are involved in direct marketing to customers, you must comply with PORTSMOUTH COMMUNITY FOOTBALL CLUB guidelines. In particular, a data subject's prior consent is required for electronic direct marketing. There is a limited exception for existing clients and customers which allows PORTSMOUTH COMMUNITY FOOTBALL CLUB to send marketing texts, emails and social media content if PORTSMOUTH COMMUNITY FOOTBALL CLUB have obtained their contact details in the course of business with the data subject. The data subject must always have an opportunity to opt out of marketing when first collecting their details and in every subsequent message.

If a data subject declines direct marketing, it is essential that this is actioned in a timely manner and their details should be suppressed as soon as possible. You can retain just enough information to ensure that marketing preferences are respected in the future.

## Transfer of data outside of European Economic Area (EEA)

Data protection legislation restricts transfers of personal data to countries outside the European Economic Area (EEA) in order to ensure that the level of data protection provided to data subjects is maintained.

PORTSMOUTH COMMUNITY FOOTBALL CLUB does not transfer personal data to countries outside the EEA and staff are required to ensure compliance with this rule.

## Data Subject Rights to Access Personal Data

In accordance with data protection legislation, data subjects have the right on request to obtain a copy of the personal data that PORTSMOUTH COMMUNITY FOOTBALL CLUB holds about them by making a written Data Subject Access Request (DSAR). This allows the data subject to check that PORTSMOUTH COMMUNITY FOOTBALL CLUB are lawfully processing their personal data. The data subject has the right to obtain:

- Confirmation as to whether or not their personal data are being processed
- Access to copies of their specified personal data
- Other additional information

The other additional information includes:

- The purpose of the processing and the categories of personal data concerned
- The recipients, or categories of recipients, to whom the personal data have been or will be disclosed, in particular recipients in non-EEA countries

- Where the personal data are transferred to a non-EEA country, what appropriate measures are in place relating to the transfer
- The planned period for which the personal data will be stored, or, if not possible, the criteria used to determine that period
- The existence of the data subject's rights to request rectification or erasure of their personal data or restriction of processing of their personal data or to object to such processing
- Their right to lodge a complain with the ICO if they think PORTSMOUTH COMMUNITY FOOTBALL CLUB has failed to comply with their data protection rights
- Where the personal data are not collected from them, any available information as to their source
- The existence of automated decision-making, including profiling, and meaningful information about the logic involved, as well as the envisaged consequences of such processing for them

Following a DSAR request from a data subject, PORTSMOUTH COMMUNITY FOOTBALL CLUB will log the request, including date, contact details and confirm their identity. If PORTSMOUTH COMMUNITY FOOTBALL CLUB has any reasonable doubts concerning the data subject's identity, PORTSMOUTH COMMUNITY FOOTBALL CLUB will request them to provide additional information to validate their identity before complying with the DSAR. PORTSMOUTH COMMUNITY FOOTBALL CLUB will then search club data sources, in cases where a large volume is available the data subject may be requested to specify content.

If the data subject makes their DSAR electronically, PORTSMOUTH COMMUNITY FOOTBALL CLUB must provide a copy of the personal data in a commonly used electronic format, unless requested otherwise. If the data subject wants additional copies of the personal data, PORTSMOUTH COMMUNITY FOOTBALL CLUB will charge a reasonable fee, which is based on the administrative costs of providing additional copies.

PORTSMOUTH COMMUNITY FOOTBALL CLUB aim to conclude any DSAR request within one month of the date of receipt of the request. However, PORTSMOUTH COMMUNITY FOOTBALL CLUB may extend this time limit by a further three months if the request is complex or there are a number of requests made by the data subject. If PORTSMOUTH COMMUNITY FOOTBALL CLUB intend to extend the timeframe, PORTSMOUTH COMMUNITY FOOTBALL CLUB will contact the data subject within the first month from receipt of the DSAR request and explain why it is necessary.

Before providing the personal data to the data subject making the DSAR, PORTSMOUTH COMMUNITY FOOTBALL CLUB will review the personal data requested to see if they contain the personal data of other data subjects. If they do, PORTSMOUTH COMMUNITY FOOTBALL CLUB will redact the personal data of those other data subjects prior to providing the data subject with their personal data, unless those other data subjects have consented to the disclosure of their personal data. PORTSMOUTH COMMUNITY FOOTBALL CLUB will also check whether these are any statutory exemptions from disclosure that apply to the personal data that are the subject of the DSAR. If a statutory exemption applies to any of the personal data, some data may not be disclosed.

PORTSMOUTH COMMUNITY FOOTBALL CLUB will normally provide a copy of the personal data in response to a DSAR free of charge.

If PORTSMOUTH COMMUNITY FOOTBALL CLUB refuse to act on a request, PORTSMOUTH COMMUNITY FOOTBALL CLUB will advise in writing the reasons to the data subject within one

month of receipt of their DSAR. PORTSMOUTH COMMUNITY FOOTBALL CLUB will also inform the data subject their right to complain to the ICO or other judicial solutions.

If you receive a DSAR from another data subject, you must immediately forward it to the PORTSMOUTH COMMUNITY FOOTBALL CLUB DPO who will manage the request.

### How to raise a Data Subject Access Request

If you wish to exercise your data subject access rights, please complete a PORTSMOUTH COMMUNITY FOOTBALL CLUB Data Subject Access Request form or request via email to the DPO.

PORTSMOUTH COMMUNITY FOOTBALL CLUB will provide a receipt upon response and verify your identity.

### Other data subject rights related to their personal data

Data subjects have a number of other rights in relation to their personal data. When PORTSMOUTH COMMUNITY FOOTBALL CLUB process data subjects' personal data, PORTSMOUTH COMMUNITY FOOTBALL CLUB will respect those rights. It is the PORTSMOUTH COMMUNITY FOOTBALL CLUB policy to ensure that requests by data subjects to exercise their rights in respect of their personal data are handled in accordance with the data protection legislation.

UK data legislation provides the following rights for individuals:

- **The right to be informed** – as a data subject, you have the right to be informed that your personal data will be, are being or were collected and processed. This right empowers the data subject to consider other actions to protect their data privacy and assert other privacy rights and also confirms the requirement to notify of a data breach
- **The right of access** – enables the data subject to access the personal data belonging to them that PORTSMOUTH COMMUNITY FOOTBALL CLUB process
- **The right to rectification** – provides data subjects the right to change or modify the data provided to PORTSMOUTH COMMUNITY FOOTBALL CLUB when they believe the data held is inaccurate or out of data. PORTSMOUTH COMMUNITY FOOTBALL CLUB is required to provide this without undue delay
- **The right to erasure** – sometimes known as the right to be forgotten. The data subject has the right to ask for the erasure of their data without undue delay
- **The right to restrict processing** – the data subject has the right to restrict as long as their requests meets one of the following:
  - o The data subject contests the accuracy of their data
  - o The data subject objects to unlawful processing and the data subject prefers you to restrict the processing rather than erasing their data
  - o The data controller does not need the data for processing but they need to keep the data pursuant to the establishment, exercise or defence of a legal claim

If PORTSMOUTH COMMUNITY FOOTBALL CLUB temporarily stop processing data, PORTSMOUTH COMMUNITY FOOTBALL CLUB must inform the data subject before lifting the restriction and resuming the processing.

- **The right to data portability** – as a data subject, they have the right to receive the personal data held by PORTSMOUTH COMMUNITY FOOTBALL CLUB in a commonly used format and send the data to another controller or use it for their personal purposes under certain circumstances
- **The right to object** – confirms the data subjects have the right to object to PORTSMOUTH COMMUNITY FOOTBALL CLUB processing data including profiling when it is on relevant grounds



- **Rights in relation to automated decision making and profiling** - The data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning the data subject

### How to request

If as a data subject you wish to exercise any of these rights, please contact the PORTSMOUTH COMMUNITY FOOTBALL CLUB DPO.

### How we process

If a data subject performs their right with the DPO, PORTSMOUTH COMMUNITY FOOTBALL CLUB will initially log the request and validate the data subjects identity.

A high-level summary of the procedures is below for reference:

- **Processing a request of rectification** – Upon request PORTSMOUTH COMMUNITY FOOTBALL CLUB will verify identity and record the request (including date, who the request was made by and associated details). PORTSMOUTH COMMUNITY FOOTBALL CLUB will without undue delay rectify the personal data without undue delay and confirm rectification to the data subject upon completion
- **Processing a request for erasure** - Upon request PORTSMOUTH COMMUNITY FOOTBALL CLUB will verify identity and record the request (including date, who the request was made by and associated details). PORTSMOUTH COMMUNITY FOOTBALL CLUB will without undue delay confirm the validity of the request to ensure it complies with data legislation. Once verified PORTSMOUTH COMMUNITY FOOTBALL CLUB will complete erasure of data and confirm removal to the data subject upon completion
- **Processing a request to restrict the processing** - Upon request PORTSMOUTH COMMUNITY FOOTBALL CLUB will verify identity and record the request (including date, who the request was made by and associated details). PORTSMOUTH COMMUNITY FOOTBALL CLUB will without undue delay only process the personal data with the data subjects' consent for the establishment, exercise or defence of legal claims or for legitimate interests. PORTSMOUTH COMMUNITY FOOTBALL CLUB will provide confirmation of completion once processed
- **Processing a request for data portability** - Upon request PORTSMOUTH COMMUNITY FOOTBALL CLUB will verify identity and record the request (including date, who the request was made by and associated details). PORTSMOUTH COMMUNITY FOOTBALL CLUB will without undue delay provide the data to the subjects' requested controller in a structured format, using a secure method. This will usually be completed within one month of receipt. PORTSMOUTH COMMUNITY FOOTBALL CLUB will provide confirmation of completion once processed
- **Processing a request of objection** - Upon request PORTSMOUTH COMMUNITY FOOTBALL CLUB will verify identity and record the request (including date, who the request was made by and associated details). PORTSMOUTH COMMUNITY FOOTBALL CLUB will without undue delay cease processing the data subject's personal data including direct marketing, unless PORTSMOUTH COMMUNITY FOOTBALL CLUB can show legitimate grounds for the processing which overrides the data subject's interests, rights and freedoms or PORTSMOUTH COMMUNITY FOOTBALL CLUB are processing the personal data for the establishment, exercise or defence of legal claims

The data subject has the right to withdraw their consent at any time, but PORTSMOUTH COMMUNITY FOOTBALL CLUB may continue process based on the consent before its withdrawal.

Data subjects retain the right to make a complaint to the ICO at any time. This can be made directly with the ICO through their website [Make a complaint | ICO](#) or by calling their helpline 0303 123 1113.

## Your obligations in relation to personal data

All staff members must comply with this policy and the data protection principles at all times in your personal data processing activities where you are acting on behalf of PORTSMOUTH COMMUNITY FOOTBALL CLUB in your role or responsibilities.

Under the data protection legislation, you should also be aware that you are personally accountable for your actions and you can be held criminally liable. It is a criminal offence for you knowingly or recklessly to obtain or disclose personal data without the consent of PORTSMOUTH COMMUNITY FOOTBALL CLUB.

It is also a criminal offence to knowingly or recklessly re-identify personal data that has been anonymised without the consent of PORTSMOUTH COMMUNITY FOOTBALL CLUB, where PORTSMOUTH COMMUNITY FOOTBALL CLUB de-identified the personal data. It is also a criminal offence to alter, block, erase, destroy or conceal personal data with the intention of preventing their disclosure to a data subject following a data subject access request.

Where unlawful activity is suspected, PORTSMOUTH COMMUNITY FOOTBALL CLUB will report the matter to the ICO for investigation into the alleged breach of the data protection legislation and this may result in criminal proceedings being instigated against you. PORTSMOUTH COMMUNITY FOOTBALL CLUB may also need to report the alleged breach to a regulatory body. This conduct would also amount to a gross misconduct offence under PORTSMOUTH COMMUNITY FOOTBALL CLUB disciplinary procedure and could lead to your summary dismissal.

All staff must also comply with the following guidelines at all times:

- Only access data you have authority to access and only for authorised purposes
- Only allow other members of staff or agencies access to data if they have the appropriate authorisation
- Do not disclose personal data to anyone except the data subject. This includes providing data to other family members, unauthorised third parties, display on PORTSMOUTH COMMUNITY FOOTBALL CLUB media or social media platforms, unless the data subject has given their explicit consent
- Be aware of fraudulent or deceptive claims to access, always verify the identity of the data subject and the legitimacy of the request
- Where PORTSMOUTH COMMUNITY FOOTBALL CLUB provide you with security access such as passwords, passcodes, etc you must securely retain these. Only store if required in a password manager application or website
- Ensure any personal data you hold are kept securely, either in a locked non portable filing cabinet or drawer if a physical copy. If in electronic format, the data should be password protected and/or encrypted. Always follow any additional guidelines on accessing club data
- Personal data managed online should only be provided through a secure network with appropriate levels of encryption
- If you receive a request for personal data about another member of staff or data subject, you should forward the request to the DPO
- Never access another member of staff's personal data without their consent or unless it is aligned to your role or responsibility. Failure to comply will be treated as gross misconduct and it is a criminal offence

- Do not obtain or disclose personal data without authority, failure to comply will be treated as gross misconduct and it is a criminal offence
- Do not write down in any format opinions or facts concerning a data subject which could be deemed inappropriate to share with the data subject
- Do not remove personal data, or devices containing personal data from the workplace with the intention of processing them elsewhere unless this is necessary to enable you to properly carry out your job duties and responsibilities and you have deployed appropriate security measures to secure the data and the device and it has been authorised by your line manager
- When away from your workplace and with the authorisation of your line manager you must continue to observe the terms of this policy and the data protection legislation
- Do not store personal data on local computer drives, your own personal device
- Do not make any unnecessary copies of personal data
- Dispose of any data securely, e.g. paper copies should be disposed of via confidential waste methods
- Ensure that you complete all mandatory data protection training
- Refer any questions or concerns that you may have about data protection legislation or compliance with this policy to your line manager and DPO

## Staff data processing

PORTSMOUTH COMMUNITY FOOTBALL CLUB takes the processing of potential, current and previous staff data very seriously and will always process data collected with due care and attention.

PORTSMOUTH COMMUNITY FOOTBALL CLUB will process this data using the policy set out above.

Confirmation of the data collected is set out below for your reference:

### Recruitment stage

Data Type	Justification	Data format
CV	CV data is collected to identify candidates who are the best fit for the role and have required qualifications and legal status	Paper or Electronic
Application forms	Along with CVs application forms assist with the recruitment stage	Electronic
Interview notes	These are taken during the interview stage and stored only within HR during the interview stage	Paper or Electronic
EDI forms (Equality, Diversity and Inclusion)	All prospective employees are request to fill in their EDI information and used solely by HR	Electronic

### Within employment

Data Type	Justification	Data format
Joiners form	New staff will be asked to complete a joiners form with HR, this includes Name, date of birth, National insurance number, contact details, Next of kin, EDI information, bank details and conviction declaration. Data is retained by HR	Electronic
Contract	Staff contract	Electronic

Medical Information	Staff declared medical information	Electronic
Right to work	Staff members right to work information	Electronic
Reference information	References provided by staff member	Electronic
Certifications	Any certifications provided by staff member	Electronic
Offer letter	Offer of employment letter provided to the staff member	Electronic
Recruitment stage information	All information within the Recruitment stage shown above	Electronic
Other personal or Medical information	Any additional staff declared medical information	Electronic
Employee relations information	Additional staff information related to employee relations	Electronic
Return to work or absence notes	HR or Line manager return to work or absence notes	Electronic
Training information	Staff member training information	Electronic
Changes to employment	Documented changes to employment such as salary, promotions or responsibility changes	Electronic
Subscriptions, e.g. Gym	Any applicable subscriptions with Portsmouth Community Football Club such as gym membership	Electronic
Payroll	Payroll information	Electronic
Pay information	Any other pay information such as expenses	Electronic
Resignation letters	Any staff resignation letters/information	Electronic
Exit interview notes	These are taken during the exit interview stage and stored only within HR	Electronic

### Left employment

Data Type	Justification	Data format
Employment information	All employee information as defined above will be stored for a period (see retention details below)	Paper or Electronic

### Retention of data relating to members of staff

Data	Retention period	Comments
<b>Recruitment stage only</b>		

CV	6 months	
Application forms	6 months	
Interview notes	6 months	
EDI forms	6 months	
<b>Employee</b>		
All employee staff information is retained during employment. Deleting or interfering with data whilst still employed without consent could amount to a breach.		
<b>Leaver Information</b>		
Joiners form	6 years	
Contract	6 years	
Medical Information	6 years	
Right to work	6 years	
Reference information	6 years	
Certifications	6 years	
Offer letter	6 years	
Recruitment stage information	6 years	
Other personal or Medical information	6 years	
Employee relations information	6 years	
Return to work or absence notes	6 years	
Training information	6 years	
Changes to employment	6 years	
Subscriptions, e.g. Gym	6 years	
Payroll	6 years	
Pay information	6 years	
Resignation letters	6 years	
Exit interview notes	6 years	