



Galway Triathlon Club
Data
Protection Policy

Introduction

Galway Triathlon Club is committed to protecting the rights and freedoms of data subjects and safely and securely processing their data in accordance with all of our legal obligations.

We hold personal data about our members for a variety of administrative purposes. This policy sets out how we seek to protect personal data and ensure that our members understand the rules governing their use of the personal data to which they have access in the course of their membership.

Definitions

<p>Administrative purposes</p>	<p>The purposes for which personal data may be used by us:</p> <p><i>Administrative purposes include the following:</i></p> <ul style="list-style-type: none"> - <i>Compliance with our legal, regulatory and club governance obligations and good practice</i> - <i>Gathering information as part of investigations by regulatory bodies or in connection with legal proceedings or requests</i> - <i>Ensuring privacy policies are adhered to (such as policies covering email and internet use)</i> - <i>Operational reasons, such as recording transactions, training and member-related services such as the Race Register, etc.</i> - <i>Improving services</i>
<p>Data Controller</p>	<p>‘Data controller’ means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by law.</p>

Data processor	‘Processor’ means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.
Processing	‘Processing’ means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
Supervisory Authority	This is the national body responsible for data protection. The supervisory authority for our organization is Executive Committee.

Scope

This policy applies to all members who must be familiar with this policy and comply with its terms.

This policy supplements our other policies relating to internet and email use. We may supplement or amend this policy by additional policies and guidelines from time to time. Any new or modified policy will be circulated to members before being adopted.

Who is responsible for this policy?

As our Data Protection Officer (DPO), Graham Yates has overall responsibility for the day-to-day implementation of this policy. You should contact the DPO for further information about this policy if necessary.

at: media@galwaytri.ie

The principles

Galway Triathlon Club Tri shall comply with the principles of data protection (the Principles) enumerated in the EU General Data Protection Regulation. We will make every effort possible in everything we do to comply with these principles. The Principles are:

1. Lawful, fair and transparent

Data collection must be fair, for a legal purpose and we must be open and transparent as to how the data will be used.

2. Limited for its purpose

Data can only be collected for a specific purpose.

3. Data minimisation

Any data collected must be necessary and not excessive for its purpose.

4. Accurate

The data we hold must be accurate and kept up to date.

5. Retention

We cannot store data longer than necessary.

6. Integrity and confidentiality

The data we hold must be kept safe and secure.

Accountability and transparency

We must ensure accountability and transparency in all our use of personal data. We must show how we comply with each Principle.

To comply with data protection laws and the accountability and transparency Principle of GDPR, we must demonstrate compliance. You are responsible for understanding your particular responsibilities to ensure we meet the following data protection obligations:

- Fully implement all appropriate technical and organizational measures
- Maintain up to date and relevant documentation on all processing activities
- Conducting Data Protection Impact Assessments
- Implement measures to ensure privacy by design and default, including:
 - Data minimisation
 - Pseudo-anonymisation
 - Transparency
 - Allowing individuals to monitor processing
 - Creating and improving security and enhanced privacy procedures on an ongoing basis

Our procedures

Fair and lawful processing

We must process personal data fairly and lawfully in accordance with individuals' rights under the first Principle. This generally means that we should not process personal data unless the individual whose details we are processing has consented to this happening.

If we cannot apply a lawful basis (explained below), our processing does not conform to the first principle and will be unlawful. Data subjects have the right to have any data unlawfully processed erased

Controlling vs. processing data

Galway Triathlon Club Tri is classified as both a data controller and data processor.

As a data processor, we must comply with our obligations and act only on the documented instructions of the data controller. If we at any point determine the purpose and means of processing out with the instructions of the controller, we shall be considered a data controller and therefore breach our contract with the controller and have the same liability as the controller. As a data processor, we must:

- Not use a sub-processor without written authorisation of the data controller
- Co-operate fully with the ICO or other supervisory authority
- Ensure the security of the processing
- Keep accurate records of processing activities
- Notify the controller of any personal data breaches

If you are in any doubt about how we handle data, contact the DPO for clarification

We must establish a lawful basis for processing data. At least one of the following conditions must apply whenever we process personal data:

1. Consent

We hold recent, clear, explicit, and defined consent for the individual's data to be processed for a specific purpose.

2. Membership

The processing is necessary to fulfil or establish the conditions of active membership for the individual.

3. Legal obligation

We have a legal obligation to process the data (excluding a contract).

4. Vital interests

Processing the data is necessary to protect a person's life or in a medical situation.

5. Public function

Processing necessary to carry out a public function, a task of public interest or the function has a clear basis in law.

6. Legitimate interest

The processing is necessary for our legitimate interests. This condition does not apply if there is a good reason to protect the individual's personal data which overrides the legitimate interest.

Special categories of personal data

What are special categories of personal data?

Previously known as sensitive personal data, this means data about an individual which is more sensitive, so requires more protection. This type of data could create more significant risks to a person's fundamental rights and freedoms, for example by putting them at risk of unlawful discrimination. The special categories include information about an individual's:

- race
- ethnic origin
- politics
- religion
- trade union membership
- genetics
- biometrics (where used for ID purposes)
- health
- sexual orientation

Galway Triathlon Club Tri does not maintain or use any special categories of personal data. However, in cases where we must process special categories of personal data, we will require the data subject's *explicit* consent to do this unless exceptional circumstances apply, or we are required to do this by law (e.g., to comply with legal obligations to ensure health and safety at work). Any such consent will need to clearly identify what the relevant data is, why it is being processed and to whom it will be disclosed.

The condition for processing special categories of personal data must comply with the law. If we do not have a lawful basis for processing special categories of data that processing activity must cease.

Responsibilities

Our responsibilities

- Analysing and documenting the type of personal data we hold
- Checking procedures to ensure they cover all the rights of the individual
- Identify the lawful basis for processing data
- Ensuring consent procedures are lawful
- Implementing and reviewing procedures to detect, report and investigate personal data breaches
- Store data in safe and secure ways
- Assess the risk that could be posed to individual rights and freedoms should data be compromised

Your responsibilities

- Fully understand your data protection obligations
- Check that any data processing activities you are dealing with comply with our policy and are justified
- Do not use data in any unlawful way
- Do not store data incorrectly, be careless with it or otherwise cause us to breach data protection laws and our policies through your actions
- Comply with this policy at all times
- Raise any concerns, notify any breaches or errors, and report anything suspicious or contradictory to this policy or our legal obligations without delay

Responsibilities of the Data Protection Officer

- Reviewing all data protection procedures and policies on a regular basis
- Answering questions on data protection from members and other stakeholders
- Responding to individual members who wish to know which data is being held on them by us

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Responsibilities of the Media Officer

- Ensure all systems, services, software and equipment meet acceptable security standards
- Checking and scanning security hardware and software regularly to ensure it is functioning properly
- Researching third-party services, such as cloud services the club is considering using to store or process data

Accuracy and relevance

We will ensure that any personal data we process is accurate, adequate, relevant and not excessive, given the purpose for which it was obtained. We will not process personal data obtained for one purpose for any unconnected purpose unless the individual concerned has agreed to this or would otherwise reasonably expect this.

Individuals may ask that we correct inaccurate personal data relating to them. If you believe that information is inaccurate you should record the fact that the accuracy of the information is disputed and inform the DPO.

Data security

We must keep personal data secure against loss or misuse.

Storing data securely

- In cases when data is stored on printed paper, it should be kept in a secure place where unauthorized personnel cannot access it
- Printed data should be shredded when it is no longer needed
- Data stored on a computer should be protected by strong passwords that are changed regularly. We encourage all members to use a password manager to create and store their passwords.
- Data stored on CDs or memory sticks must be encrypted or password protected and locked away securely when they are not being used
- The DPO must approve any cloud used to store data
- Servers containing personal data must be kept in a secure location
- Data should be regularly backed up in line with the club's backup procedures
- Data should never be saved directly to mobile devices such as laptops, tablets or smartphones
- All servers containing sensitive data must be approved and protected by security software
- All possible technical measures must be put in place to keep data secure

Data retention

We must retain personal data for no longer than is necessary. What is necessary will depend on the circumstances of each case, taking into account the reasons that the personal data was obtained, but should be determined in a manner consistent with our data retention guidelines.

Rights of individuals

Individuals have rights to their data which we must respect and comply with to the best of our ability. We must ensure individuals can exercise their rights in the following ways:

1. Right to be informed

- Providing privacy notices which are concise, transparent, intelligible and easily accessible, free of charge, that are written in clear and plain language, particularly if aimed at children.
- Keeping a record of how we use personal data to demonstrate compliance with the need for accountability and transparency.

2. Right of access

- Enabling individuals to access their personal data and supplementary information
- Allowing individuals to be aware of and verify the lawfulness of the processing activities

3. Right to rectification

- We must rectify or amend the personal data of the individual if requested because it is inaccurate or incomplete.
- This must be done without delay, and no later than one month. This can be extended to two months with permission from the DPO.

4. Right to erasure

- We must delete or remove an individual's data if requested and there is no compelling reason for its continued processing.

5. Right to restrict processing

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- We must comply with any request to restrict, block, or otherwise suppress the processing of personal data.
- We are permitted to store personal data if it has been restricted, but not process it further. We must retain enough data to ensure the right to restriction is respected in the future.

6. Right to data portability

- We must provide individuals with their data so that they can reuse it for their own purposes or across different services.
- We must provide it in a commonly used, machine-readable format, and send it directly to another controller if requested.

7. Right to object

- We must respect the right of an individual to object to data processing based on legitimate interest or the performance of a public interest task.
- We must respect the right of an individual to object to direct marketing, including profiling.
- We must respect the right of an individual to object to processing their data for scientific and historical research and statistics.

8. Rights in relation to automated decision making and profiling

- We must respect the rights of individuals in relation to automated decision making and profiling.
- Individuals retain their right to object to such automated processing, have the rationale explained to them, and request human intervention.
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11. Rights in relation to automated decision making and profiling

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- Individuals retain their right to object to such automated processing, have the rationale explained to them, and request human intervention.

Subject Access Requests

What is a subject access request?

An individual has the right to receive confirmation that their data is being processed, access to their personal data and supplementary information which means the information which should be provided in a privacy notice.

How we deal with subject access requests

We must provide an individual with a copy of the information they request. This must occur without delay, and within one month of receipt. We endeavor to provide data subjects access to their information in commonly used electronic formats, and where possible, provide direct access to the information through a remote accessed secure system.

If complying with the request is complex or numerous, the deadline can be extended by two months, but the individual must be informed within one month. You must obtain approval from the DPO before extending the deadline.

We can refuse to respond to certain requests. If the request is for a large quantity of data, we can request the individual specify the information they are requesting. This can only be done with express permission from the DPO.

Once a subject access request has been made, we must not change or amend any of the data that has been requested. Doing so is a criminal offence.

Data portability requests

We must provide the data requested in a structured, commonly used and machine-readable format. This would normally be a CSV file, although other formats are acceptable. We must provide this data either to the individual who has requested it, or to the data controller they have requested it be sent to. This must be done free of charge and without delay, and no later than one month. This can be extended to two months for complex or numerous requests, but the individual must be informed of the extension within one month and you must receive express permission from the DPO first.

Right to erasure

What is the right to erasure?

Individuals have a right to have their data erased and for processing to cease in the following circumstances:

- Where the personal data is no longer necessary in relation to the purpose for which it was originally collected and / or processed
- Where consent is withdrawn
- Where the individual objects to processing and there is no overriding legitimate interest for continuing the processing
- The personal data was unlawfully processed or otherwise breached data protection laws
- To comply with a legal obligation
- The processing relates to a child

How we deal with the right to erasure

We can only refuse to comply with a right to erasure in the following circumstances:

- To exercise the right of freedom of expression and information
- To comply with a legal obligation for the performance of a public interest task or exercise of official authority
- For public health purposes in the public interest
- For archiving purposes in the public interest, scientific research, historical research or statistical purposes
- The exercise or defense of legal claims

If personal data that needs to be erased has been passed onto other parties or recipients, they must be contacted and informed of their obligation to erase the data. If the individual asks, we must inform them of those recipients.



The right to object

Individuals have the right to object to their data being used on grounds relating to their particular situation. We must cease processing unless:

- We have legitimate grounds for processing which override the interests, rights and freedoms of the individual.
- The processing relates to the establishment, exercise or defense of legal claims.

We must always inform the individual of their right to object at the first point of communication, i.e., in the privacy notice. We must offer a way for individuals to object online.

The right to restrict automated profiling or decision making

We may only carry out automated profiling or decision making that has a legal or similarly significant effect on an individual in the following circumstances:

- It is necessary for the entry into or performance of a contract.
 - Based on the individual's explicit consent.
 - Otherwise authorised by law.
- In these circumstances, we must:
- Give individuals detailed information about the automated processing.
 - Offer simple ways for them to request human intervention or challenge any decision about them.
 - Carry out regular checks and user testing to ensure our systems are working as intended.



Third parties

Using third party controllers and processors

As a data controller and data processor, we must have written contracts in place with any third-party data controller or data processor that we use. The contract must contain specific clauses which set out our and their liabilities, obligations and responsibilities.

As a data controller, we must only appoint processors who can provide sufficient guarantees under GDPR and that the rights of data subjects will be respected and protected.

As a data processor, we must only act on the documented instructions of a controller. We acknowledge our responsibilities as a data processor under GDPR and we will protect and respect the rights of data subjects.

Audits, monitoring and training

Data audits

Regular data audits to manage and mitigate risks will inform the data register. This contains information on what data is held, where it is stored, how it is used, who is responsible and any further regulations or retention timescales that may be relevant.

Monitoring

Everyone must observe this policy. The DPO has overall responsibility for this policy. Galway Triathlon Club Tri will keep this policy under review and amend or change it as required. You must notify the DPO of any breaches of this policy. You must comply with this policy fully and at all times.



Training

You will receive adequate training on provisions of data protection law specific for your role. You must complete all training as requested. If you move role or responsibilities, you are responsible for requesting new data protection training relevant to your new role or responsibilities.

If you require additional training on data protection matters, contact the DPO.

Reporting breaches

Any breach of this policy or of data protection laws must be reported as soon as practically possible. This means as soon as you have become aware of a breach. Galway Triathlon Club Tri has a legal obligation to report any data breaches to the Information Commissioner within 72 hours.

All members have an obligation to report actual or potential data protection compliance failures. This allows us to:

- Investigate the failure and take remedial steps if necessary
- Maintain a register of compliance failures
- Notify the [name of supervisory authority] of any compliance failures that are material either in their own right or as part of a pattern of failures

Any members who fail to notify of a breach or is found to have known or suspected a breach has occurred but has not followed the correct reporting procedures will be liable to disciplinary action.

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Failure to comply

We take compliance with this policy very seriously. Failure to comply puts both you and the organization at risk.

If you have any questions or concerns about anything in this policy, do not hesitate to contact the DPO.