



West Lothian Club Network Night

## Follow-Up Answers to Questions asked on GDPR

Both of the following questions come under the heading of "Accountability and Governance" and the ICO guidance for organisations can be found here:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/accountability-and-governance/>

There are also some useful templates on the Sport & Recreation Alliance website (from a Sport England initiative) - and there is a wider range available there than the Harper McLeod templates from Sport Scotland, so check it out:

<https://www.sportandrecreation.org.uk/pages/gdpr-clubs>

**Remember:** whilst I hope this will help, it's your responsibility to check and do the right thing for your own club and situation - seek specific help and advice from your governing body or Sport Scotland or others if you need it.

### 1. Do we need to appoint a Data Protection Officer?

The Sport & Recreation Alliance page above has a useful guidance note on this topic. and the ICO guidance is here:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/accountability-and-governance/data-protection-officers/>

Under the GDPR, you must appoint a DPO if:

- you are a public authority (except for courts acting in their judicial capacity);
- your core activities require large scale, regular and systematic monitoring of individuals; or
- your core activities consist of large scale processing of special categories of data or data relating to criminal convictions and offences.

*[Comment: I think it's unlikely that most sports clubs will fall into any of these categories, but read the note and ICO guidance and seek advice if you are not sure.]*

You can appoint a DPO if you wish, even if you aren't required to. If you decide to voluntarily appoint a DPO you should be aware that the same requirements of the position and tasks apply had the appointment been mandatory.

Regardless of whether the GDPR obliges you to appoint a DPO, you must ensure that your organisation has sufficient staff and resources to discharge your obligations under the GDPR.



West Lothian Club Network Night

*[Comment: I can't tell you what is right for your club, but at our small club we not likely to appoint a DPO but have a simple data protection policy (see below) that gives responsibility for compliance to the office bearers / committee.]*

## **2. Do we need a data protection policy?**

The GDPR requires you to show how you comply with the principles.

*[Comment: it might be best practice, but it's not mandatory to have a policy - if you can show how you comply in other ways then that's OK. On reflection, I think a simple data protection policy might be useful for clubs and the Sports & Recreation Alliance has an example policy (that is 12 pages long!).]*

A policy will help you address data protection in a consistent manner and demonstrate accountability under the GDPR. This can be a standalone policy statement or part of a general [club] policy.

The policy should clearly set out your approach to data protection together with responsibilities for implementing the policy and monitoring compliance.

Management should approve the policy and you should publish and communicate it to all [staff / members]. You should review and update the policy updated at planned intervals or when required to ensure it remains relevant.