



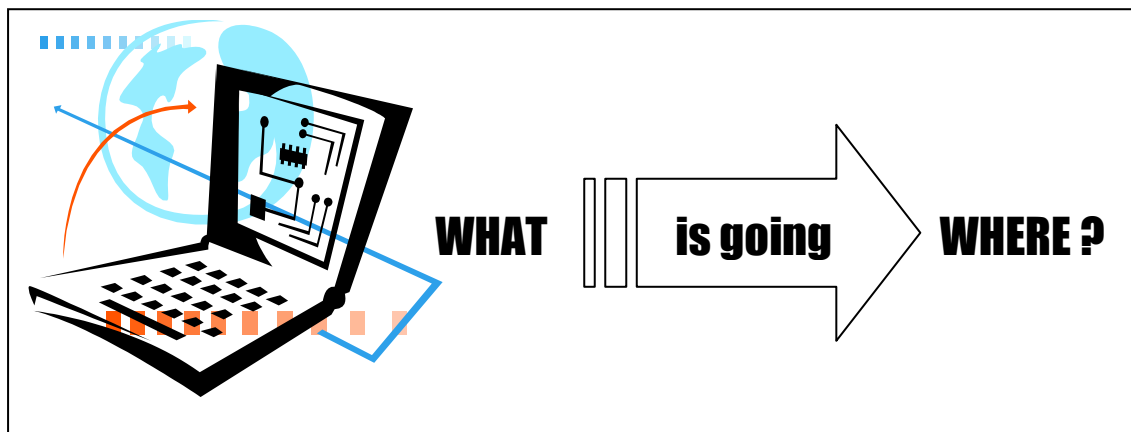
## DATA PROTECTION AND YOU!

Sussex Rugby Football Union Limited Is a Registered Data Holder under the Data Protection Act 1998 (Registration Number Z1611845) and this requires certain actions to protect any individual's personal information and regulate its use, retention, processing and any form of transmission to other parties.

This document aims to provide a summary of requirements that focus particularly on the operations of Sussex Rugby Football Union Limited Officers and Committee Members. It is based on publications provided by the Information Commissioner's Office (ICO) and fuller details can be consulted at [www.ico.gov.uk](http://www.ico.gov.uk). There is also a helpful document "Guidance to Clubs on the Data Protection Act" available on the RFU Website [www.rfu.com](http://www.rfu.com).

The main text is either a summary of items directly from the ico guidance documents or a direct quote. Text in italics is either a conclusion drawn from the ICO documents or particular advice to Sussex Rugby Football Union Limited Officers and Committee Members.

*(This revision has incorporated new sections of the revised IPO Guidance Document issued in November 2009 that refers to the Law as understood at 1<sup>st</sup>. October 2009)*



**SUSSEX RUGBY FOOTBALL UNION LIMITED**  
Registered Office  
23 HAVELOCK ROAD  
HASTINGS TN34 1BP

Registered Number 29136R Industrial & Provident Societies Act 1965

## **SCOPE.**

The data information involved covers ANYTHING that can be defined as personal data that identifies a living individual. It will include but may not be limited to the following

Name, address, date of birth, medical details, performance, awards, ethnic information, educational experience, family and biographical information, criminal record, disciplinary record, sporting achievements.

*(Advice: If in any doubt about an information category treat it as personal and deal with it in a protective manner)*

The Actions Involved include the collection of data, the processing of data and the retention of personal data.

Processing Data has a wide definition and the safest thing to conclude is that ANYTHING you do with data, particularly on a computer, comes under the definition of processing.

For example obtaining, disclosing, recording, holding, using, organising, disclosing, storing, erasing or destroying personal information

## **PRINCIPLES**

As an organisation we have to comply with the eight data protection principles for data processing:

- I. Fairly and lawfully processed
- II. Processed for specified and limited purposes
- III. Adequate, relevant and not excessive
- IV. Accurate and kept up to date
- V. Not kept longer than necessary
- VI. Processed in accordance with the rights of the individual
- VII. Kept secure
- VIII. Not transferred to countries outside the European Economic Area.

## **IDENTIFICATION OF A LIVING PERSON.**

It is reasonable to conclude that virtually every listing held by Officers and Committee members has to comply with the DPA.

A combination of any two from name, address, telephone number, educational establishment, work place, gender, age or physical description will be sufficient to discover the identity of a person.

*(Note: In the case of an individual having an unusual name the name alone may be regarded as sufficient to identify and locate an individual)*

## COLLECTION OF DATA – RELEVANT PURPOSE

It is essential to quantify and qualify the need to collect and process data.

**A Privacy Notice is required to be issued to each person entered into the Data Base.**

*For example when you organise a collection form for data the form should state that the Purpose is solely for the Administration of Rugby in the Sussex Constituent Body, Sussex RFU. The data provided above will be held on a Data Base at the Sussex RFU Office and at the RFU at Twickenham. If you have any objection to this please write to The Administrator, Sussex RFU, Sussex County Sports Partnership Trust, Sports Development Unit, Dallington House, University of Brighton, Falmer, Brighton, BN1 9PH. and The Secretary, The Rugby Football Union, Rugby House, Twickenham Stadium, 200 Whitton Road, Twickenham, Middlesex, TW2 7BA". Please initial the box to record consent to the holding of the above data.*

e.g.

PWA

*[Important Note: From time to time these addresses may change. Please check when drawing up forms or issuing information.]*

***This notice may be placed at the bottom or end of the collection form but must be in an easily legible type face. (No very small print to squeeze it in!)***

***You should think carefully at the outset of design of your data collection form as the IPO does not approve of additional items collected ("data creep") without gaining additional permission from the persons involved.***

## CONTENT OF DATA

**Data shall be accurate and kept up to date.**

**It shall collect and collated for a specific purpose and not kept longer that necessary.**

**Data unnecessary for the specific purpose shall not be collected or if entered be removed as soon as possible.**

***It is recommended that a comprehensive review of data is held by each and every data holder at least annually***

## LOCATION OF DATA

**Most will correctly assume that the data is located on a PC, LAPTOP, ELECTRONIC NOTEBOOK BUT the DPA also applies to manually filed paper and microfiche records. A filing system can readily enable the identification of a person.**

You may be surprised that our Minutes of Meetings may contain personal information that comes under the DPA regulations.

For example if a discussion concerning the suitability of a candidate or candidates for a position is recorded, the disciplinary record of identified person and the suitability for a person to play in a team or position.

*(Advice: The discussion proceeds but is confidential. The minutes, if necessary, only record the discussion occurring and the outcome as, for example, a team selection listing or disciplinary penalty in accordance with RFU regulations.)*

## **SHARING DATA.**

*Within the Sussex RFU community information is passed between officers and committee members and to members of the Constituent Body. These are defined under the rules registered under the Industrial & Provident Societies Act. They are mainly the Clubs in the Union together with any association admitted for membership and will be recorded in the Register of Membership.*

*However for practical control of data this review is limited to The Officers and Committee Members administering the Constituent Body, including the Sussex Office. The situation of separately constituted bodies such as the Sussex Schools Rugby Football Union and The Sussex Society of Rugby Football Referees is not covered. This is a similar to the relationship between the RFU at Twickenham and the Constituent Bodies and Clubs. It was determined that these bodies do not come under the “umbrella” of the RFU Data Controller Registration.*

*Thus it is advised that.*

- 1. Only data directly necessary for the administration of rugby in Sussex is shared and this to be within the boundaries of the Sussex RFU Committees, The Sussex RFU Office and The RFU at Twickenham.*
- 2. No data shall be released outside the boundaries noted above for any reason without express written permission of the Honorary Secretary of Sussex RFU.)*

## **PERSONS UNDER 18 YEARS of AGE.**

*The DPA does not specify the minimum age at which an individual can act in their own volition to provide consent. It is possible in the area of Mini and Midi rugby that information is collected from young persons. In these cases the parent/guardian must provide explicit verifiable written consent to the collection of data. The RFU notes that this must be done for persons of 12 years and under but in other areas of law 18 years is taken as the limit thus it is advised that persons over 12 but under 18 are also required to provide written consent.*

***Officers and Committee persons who hold data for persons under 18 years must be CRB (Vetting & Barring) cleared.***

***Personal details of anyone less than 18 years of age must not be published in any format e.g. listing or handbook or to anyone beyond the boundaries of Sussex RFU administration noted above.***

***In many data bases there is no record made of date of birth or age. However it would be beneficial if a person is known to be under eighteen years a note to that fact is added to the information to remind users of the extra safeguards involved.***

## **SECURITY OF PERSONAL INFORMATION.**

**The advice provided in the Good Practice Note is directed in particular to smaller and medium sized organisations that are less likely to have internal security expertise.**

**Security measures required depend on the nature of the data collected and its sensitivity to individuals.**

**Special care must be taken with any medical or financial information that in particular may or will cause distress to person or persons involved.**

**The potential for onward transmission of sensitive data in an expanding chain of recipients has to be carefully evaluated.**

***(The advice is that anyone collecting sensitive personal data does not pass this on to anyone except the Sussex Administrator.***

***For example some touring administrators would need to know particular medical information or payment details of players. It is recommended that this information is only held by not more than two tour administrators and a copy with the Sussex Office. After the tour the tour administrators shall totally remove such information from their files, manual or electronic).***

## **COMPUTER SECURITY**

***Most if not all Officers and Committee Members will possess or have use of a Computer. It is probable that these will be stand alone machines not networked to any other machine outside their domicile. Most will also be connected to the internet to receive and supply emails. It is now accepted that Rugby Administration cannot really proceed satisfactorily without such capability.***

***It is very important to note that a database must not be held on a computer that you do not have total control. For example you must not process or transmit data via a network at your place of business unless you have total control of the security of such data.***

## **YOUR PC and/or LAPTOP SECURITY**

***You must institute basic security precautions for your computer, in particular on a Laptop or any other portable electronic device. This should not be***

***onerous as you should be protecting your own sensitive data with these familiar operations:***

**Up to date Security protection includes**

***Antivirus, Antiphishing, Antispyware, Firewall, Identity protection and Network Protection if needed. This should be automatically updated by the supplier. Computer magazines such as "Webuser" provide periodic updates on available protection systems some of which are free.***

**Use a password to control access to your computer that has sufficient password strength to deter easy breaking.**

***You should be aware that just deleting data on your computer does not fully remove it. After some time and many over-rights from say defragging operations such data may become undecipherable. But until this happens data can be recoverable by some programmes. Software such as "Eraser" can remove by encryption. The safest currently known security is by destruction of the hard drive when you update your machine.***

***Have you backed up personal data to a CD-ROM or auxiliary disc system, memory stick or other solid state memory device? These items are very susceptible to loss and multiple copying. They represent a considerable risk and advice is not to use them to establish or copy any personal data.***

***Consider the merits of having only a filed paper record of sensitive data that can be easily shredded for disposal.***

***Please also note that even if you leave Sussex RFU or a position as an officer of Sussex RFU you are still responsible for the data you hold. Thus it is strongly advised that you should take timely action to remove any such data.***

## **BREACH OF SECURITY**

**Breach of data may arise from accidental loss, theft, unauthorised use by a colleague, a deliberate attack on your system or system failure.**

***The timing, nature and extent of such breach or potential breach shall be referred to the Sussex RFU Honorary Secretary immediately for subsequent remedial action and damage limitation.***

## **AUDIT**

***The required Audit process for a commercial company is very thorough and time consuming. For our widespread chain it would really only have some relevance to the Administrative Office. It is suggested that each Committee Member and Officer undertakes a regular review of the data held and annually submits a report to the Honorary Secretary reporting***

***Summary of data held and reason.***

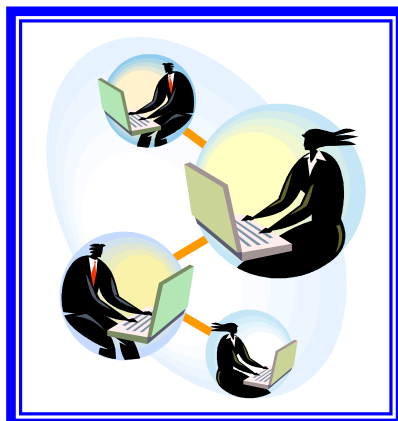
***Measures taken to update accuracy and remove inaccurate or obsolete data***

**Confirmation that all data is held secure**

**Any transference of data undertaken within the Sussex RFU and RFU at Twickenham Boundaries. (Note that there must not be any transference outside these boundaries except with the express written permission of the Honorary Secretary)**

**It is probable that this annual review should take place in the third week of September each year when all the season changes have been made.**

**REMEMBER TO  
KEEP YOUR DATA  
SAFE AND WITHIN**



**THE BOUNDARIES  
OF SUSSEX RFU  
AND THE RFU.**

***This document is very much a summary of hundreds of pages from the ICO. It is intended to provide guidance for our data handling within the information structure we operate. Basically communicate ideas, decisions, problems, actions and numbers but if at all possible avoid any names or identifiable descriptions. In some cases these are essential but have to be handled with diligence and due care.***

*Peter Atthis*

**COPS**

**(Authorised by The Sussex RFU Ltd. Executive Committee 24th November 2009. Amended for updated ICO Guidance November 2009 and Officer's comments, January 24<sup>th</sup> 2010.)**

**RUGBYFIRST ADDENDUM.**

**For those members entering information into the RUGBYFIRST data base there is specific guidance available from the RFU at**

**<http://clubs.rfu.com/Clubs/portals/webmasters/DataProtectionGuide.aspx>,**

***This provides a nine page Ms Word document especially targeted to Clubs that can be down loaded to your computer, printed and saved for future reference.***

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