



# HLTC Data Protection Policy

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## Introduction and Purpose

This document records HLTC's policy in respect of how it complies with the requirements of the Data Protection Act 2018 ("the Act") including compliance with the General Data Protection Regulation (GDPR) taking effect in England from 25 May 2018. The policy is based on guidance from the Information Commissioners Office (ICO) and other sources.

For the purposes of this policy the Committee comprises the Officers of HLTC plus the Business Manager.

This Policy shall be included in HLTC's website and be available in a folder in the HLTC clubhouse.

## Sensitive Personal Data

HLTC shall not collect data which is defined by the Act or GDPR as sensitive personal data ie data relating to racial or ethnic origin, political opinions, religious and other beliefs, trade union membership, physical and mental health or condition, sexual life, commission or alleged commission of an offence and proceedings relating to such an offence.

## Data Collected and Purpose

Data collected shall be limited to:

1. For membership administration purposes: Each member's name, address and telephone number(s), email address(es) and date of birth (*date of birth for not-age related membership categories is required only to satisfy the requirements of the LTA/Clubspark membership module*). *Additionally and solely in order to satisfy the requirements of the LTA's Clubspark membership module, each member's gender (limited to binary male or female or other options available on that system) shall be collected.* Where a member elects to pay membership fees by standing order, direct debit or direct bank transfer the member's bank name, sort code and account number (or building society equivalents) shall also be collected.
2. For business administration purposes and meeting legal requirements:
  - a. the date of birth of all Committee Members shall also be collected for the purposes only of registering those Members with Companies House as Directors of HLTC LLC, and with the Charity Commission as Trustees of HLTC the charity or to comply with requirements of HMRC. Data required to be collected to enable HLTC officials to use the LTA Clubspark system may also be collected.
  - b. Suppliers'<sup>1</sup> bank account details (bank name, account number, sort code) may be stored within the payments pages of HLTC's Lloyds Bank account.

## Access to and Use of Data

Only HLTC Committee Members shall have access to the data and they shall use the data only for the following purposes:

1. Determining a members eligibility for an age-limited membership category (eg Senior or Junior)
2. Maintaining a contact list that enables HLTC to issue newsletters and other club communications (be they in printed or electronic form)
3. Recording and knowing who is a current member of HLTC and in which membership category
4. Complying with statutory requirements in respect of Company and Charity Law
5. Registering for and operating selected modules of the LTA Clubspark system.

Notwithstanding the above, only HLTC's Treasurer and Membership Secretary shall have access to a member's bank or building society details where these have been collected, and only for purposes of ensuring that membership fees due have been paid.

Suppliers' bank account and payment details will be accessible only by the HLTC Treasurer and Membership Secretary (the latter by virtue of having access to HLTC's bank account for membership administration purposes and for HLTC business resilience/continuity purposes).

## Lawful Purpose

The Lawful Purposes for collecting and using the data, are:

- Legitimate Interests in respect of the administration of the membership of HLTC, and

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<sup>1</sup> Which may include HLTC members providing goods or services on re-imbusement terms

- Legal Obligation in respect of data collected for and provided to others to ensure compliance with the requirements of HMRC, Companies House and the Charities Commission.

## **Displayed Membership List**

HLTC displays in its Clubhouse a list of members which enables those members to contact each other for the purposes of arranging tennis matches etc. The data contained in the list shall be limited to name, telephone number(s), email address(es) and membership category. Every member whose name appears on the list shall have indicated their specific consent which shall normally be via an opt-in box on the membership application form or, where the Club uses LTA Clubspark for membership administration, an opt-in in that system. Conversely the details of persons not giving or withdrawing specific consent shall not appear on the list.

Contact details for children shall be limited to their name, with contact detail being that of their parent(s) or other person acting *in loco parentis* who has given consent on their behalf.

## **Data Relating to Membership Categories**

From time to time the Committee may be required to consider an individual's ability to participate in any particular category of membership (eg beginner, intermediate, upgraded junior etc). The opinions and Committee deliberations about that individual's ability may constitute personal data; the record of discussions regarding any Committee Meeting where such data is shared among the Committee (plus the Head Coach who may be in attendance) shall not appear in any copy of the record made available to club members or others in general and shall be confined to a version of the record issued to and accessible only by the Committee and Head Coach. Such records shall be protected in the same way as other data, as specified in the paragraph below.

## **Protection of Personal Data**

HLTC shall be entitled to rely upon HMRC, Companies House and the Charities Commission giving adequate protection to data that HLTC provides about the Directors and Trustees, and the LTA's systems about Committee Members or other HLTC officials operating the LTA Clubspark system, and commercial bank systems in respect of bank details.

HLTC shall limit the distribution of passwords and other login information required to access the Companies House, Charity Commission and LTA systems only to Committee Members who require such access to perform specific functions.

Bank details shall be available only to the HLTC Treasurer and Membership Secretary who shall be the only persons holding HLTC bank log-in credentials.

Membership data may be stored on a database which itself may be stored in a commercial cloud storage (such as Google, iCloud etc) and/or on a personal computer accessed only by the Membership Secretary and/or in the LTA-sponsored Clubspark membership management module. Each of these, when used, shall have access management including a password; the access details may be shared only among those HLTC Committee Members requiring access to perform specific functions.

The Membership Secretary shall, by end December each year, erase all data relating to a member who has not renewed their membership in that year.

## **Data Transfer to Third Parties**

No data collected by HLTC shall be transferred by any means to any other organisation except as follows:

1. Data pertaining to Directors of HLTC LLC which is required to be lodged with Companies House
2. Data pertaining to the Trustees of the charity HLTC which is required to be lodged with the Charities Commission
3. Data legitimately required by HMRC
4. Data which is required to register an HLTC Committee member or other official as a user of the LTA Clubspark system

HLTC shall not transfer to any other party any individual members' details held in the LTA Clubspark system.

## **Privacy Statement**

The Membership application process shall include a privacy statement indicating to members that HLTC will collect information, and the purposes of that collection, and direct members to this Policy for detail. The LTA Clubspark system shall draw attention to this policy.

## **Subject Access Requests (SARs)**

Any person has a right to request a copy of all data that an organisation has about them. HLTC shall supply to any member, and within the 30 days allowed by the Act/GDPR, all data held about that subject. All requests shall be in writing (for which email is deemed sufficient) to the HLTC Membership Secretary. If an access request is received from a former member the HLTC Membership Secretary shall confirm that all that former members data has been erased. A requesting member is entitled to ask the Membership Secretary to correct any incorrect data held about that person, which correction shall be effected within 14 days of the Membership Secretary receiving the correct data. Unless the Act/GDPR subsequently allows, no charge shall be made for answering SARs or correcting data.

## **Consent**

The Act/GDPR requires that positive opt-in is required in order that personal data may be collected and used. HLTC policy is that, providing that suitable notice is given, applying for membership via the LTA Clubspark system shall constitute positive action granting consent to the collection, storage and use of the data for membership administration purposes, since without the data the Club will not be able to record the member as being such.

The LTA Clubspark system seeks positive opt-in via tick boxes to a member's details (as described in 'Displayed Membership List' above) appearing on the membership list displayed in the clubhouse for the purpose stated, and to receipt of emails from the Club.

Parental (or other person having parental responsibility) consent shall be deemed sufficient for children and young people under 18 years old. Those of 18 years or older must provide or withhold their own consent. As provided by the Act any person aged 13 or older may withdraw consent(s) given on their behalf.

## **Withdrawal of Consent**

Any member (including children and young people aged 13 or over for whom parental or equivalent consent was previously given) may withdraw their consent to HLTC holding and using their personal data at any time by writing to or emailing the Membership Secretary, who shall delete their data within 30 days of receiving the request. Such requests shall effectively terminate the member's membership of HLTC as the Club at all times needs to know who is, or who is not, a member.

Specific consent to a member's details appearing on the membership list displayed in the Clubhouse and/or to receiving emails from HLTC may also be withdrawn at anytime, but without effect upon the membership of the requesting member. Withdrawal shall be by the member writing to or emailing the Membership Secretary, who shall record the member's withdrawal and/or delete their data from the emailing list as appropriate within 30 days of receiving the request (in the case of the displayed membership list this may be effected by obliterating the requesting member's details from the list or producing a revised list, at the discretion of the Membership Secretary).

A parent or equivalent acting on behalf of a child or young person may also withdraw consents on behalf of that child or young person.

## **Data Controller**

Any organisation which processes personal data is required to have a Data Controller; according to ICO guidance **Data controller** means "... a person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal data are, or are to be, processed". Notwithstanding that statement the same guidance also states:

A data controller must be a "person" recognised in law, that is to say:

- individuals;
- organisations; and
- other corporate and unincorporated bodies of persons.

Data controllers will usually be organisations, but can be individuals, for example self-employed consultants. Even if an individual is given responsibility for data protection in an organisation, they will be acting on behalf of the organisation, which will be the data controller.

HLTC policy is to recognise that HLTC is itself a Data Controller whose functions are executed through decisions made and actions taken by its Committee.

## **Data Protection Officer**

The HLTC Business Manager will oversee application of this policy and be the point of contact for, and respond to, Subject Access Requests on behalf of the Data Controller.

## **Policy Approval**

The HLTC Committee approved this policy ex-Committee at Version 5.0 as witnessed in the record of its meeting on 27th July 2022.