



## **Data Protection Policy**

Created May 2018

<b>Reviewed</b>	<b>Reviewed by</b>	<b>Next review</b>
<b>August 2021</b>	<b>Selina Hayes</b>	<b>August 2023</b>
<b>March 2022</b>	<b>Selina Hayes</b>	<b>March 2024</b>
<b>May 2023</b>	<b>Selina Hayes/Jack Shields</b>	<b>May 2025</b>

## Contents

<b>Chief Executives commitment to data privacy</b>	<b>2</b>
<b>Introduction</b>	<b>3</b>
<b>Statement of policy</b>	<b>3</b>
<b>Policy scope</b>	<b>3</b>
<b>Definitions</b>	<b>4</b>
<b>Handling personal/special category data</b>	<b>4</b>
<b>The principles of data protection</b>	<b>5</b>
<b>Compliance</b>	<b>5</b>
<b>General Data Protection Regulation</b>	<b>6</b>
<b>Responsibilities under the GDPR</b>	<b>6</b>
<b>Lawful basis for processing</b>	<b>7</b>
<b>Retention of data</b>	<b>8</b>
<b>Direct marketing</b>	<b>8</b>
<b>Data protection when working with children and young people</b>	<b>8</b>
<b>Subject access requests</b>	<b>8</b>
<b>Data protection risks</b>	<b>8</b>
<b>Data breaches</b>	<b>9</b>
<b>Security measures to prevent data breaches</b>	<b>9</b>
<b>Data protection and safeguarding children and adults at risk</b>	<b>10</b>
<b>Data Protection and sharing impact</b>	<b>10</b>
<b>Contact details</b>	<b>11</b>
<b>Useful information</b>	<b>11</b>

### **Chief Executives commitment to data privacy**

As we move forward into a new era, in which the use and protection of people's personal data is of increasing focus, we at Blackpool FC Community Trust (BFCCT) are ever-more committed to safeguarding information about our customers and staff, with optimum effectiveness.

In making this commitment, I commend both the EU-General Data Protection Regulation ("**GDPR**") and the UK's Data Protection Bill 2017, which together seek to enforce more rigorous data privacy.

However, to meet the challenges which this new legislation will bring, we need the support and contribution of everyone at BFCCT. This ranges from the Board, which has ultimate responsibility for ensuring compliance with the new standards, through to our staff, who deal with customer data daily.

We have therefore undertaken a significant programme of work to help improve our policies and practices in data management. At the heart of this are the following key principles, which we must all observe whenever we are handling people's data:

- **Transparency:** we will be completely open and honest about the systems that we use to collect and process people's data, and will offer customers and colleagues, control over how these systems will manage their information;
- **Confidentiality:** we will never sell data about a customer or colleague to a third party. Furthermore, we will never share someone's data with another organisation unless that person has been informed and, where appropriate, given their explicit consent;
- **Integrity:** we will not send marketing communications to our customers, whether by email, phone, text or social media, unless they have specifically told us that they are happy for us to do so. Additionally, we will give customers the choice and ability to change their marketing preferences at any time, and respond swiftly to any such request;
- **Security:** we will continue to implement technological controls in order to ensure that the information which we hold within, or transfer between, any of our electronic systems or networks, is managed securely; and
- **Respectful:** we will recognise and embrace the rights and freedoms to which all our customers and colleagues are rightly entitled.

By following these principles, we aim to provide increased assurance and confidence that BFCCT is a trusted custodian of people's personal data.

**Ashley Hackett**

**Chief Executive Officer**

## **1.0. Introduction**

Blackpool FC Community Trust (BFCCT) is fully committed to full compliance with the requirements of the General Data Protection Regulation. The Trust will therefore follow procedures which aim to ensure that all employees, Trustees, contractors, consultants, or partners (collectively known as data users) who have access to any personal data held by or on behalf of the Trust are fully aware of and abide by their duties under the General Data Protection Regulation.

## **2.0. Statement of policy**

The Trust needs to collect and use information about people with whom it works to operate and carry out its functions. These may include current, past, and prospective employees, customers, participants, and suppliers. This personal information must be handled and dealt with properly however it is collected, recorded, and used and whether it is on paper, in computer records or recorded by other means.

BFCCT regards the lawful and appropriate treatment of personal information as very important to its successful operations and essential to maintaining confidence between the Trust and those with whom it carries out business. The Trust therefore fully endorses and adheres to the principles of the General Data Protection Regulation.

## **3.0. Policy scope**

This policy applies to:

- The head office of Blackpool FC Community Trust (Bloomfield Road Stadium, Seaside's Way, Blackpool, FY1 6JJ)
- All branches of Blackpool FC Community Trust
- All staff and volunteers of Blackpool FC Community Trust
- All contractors, suppliers and other people working on behalf of Blackpool FC Community Trust

It applies to all data that the company holds relating to identifiable individuals, this can include:

- Names of individuals
- Postal addresses
- Email addresses
- Telephone Numbers
- Any other information relating to individuals e.g., CCTV footage/photographs

#### 4.0. Definitions

**4.1. 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.

**4.2. Data processor:** In relation to personal data, means any person (other than an employee of the data controller) who processes the data on behalf of the data controller.

**4.3. Processing:** In relation to information or data means obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data, including:

- Organisation, adaptation or alteration of the information or data
- Retrieval, consultation or use of the information or data
- Disclosure of the information or data by transmission, dissemination or otherwise making available, or Data controllers and data processors
- Alignment, combination, blocking, erasure or destruction of the information or data.

#### 5.0. Handling personal/special category data

Personal data is defined as any information relating to an identified or identifiable natural person. Special category data is defined as personal data consisting of information as to:

- Racial or ethnic origin
- Political opinion
- Religious/philosophical beliefs
- Trade union membership
- Physical or mental health or condition
- Sexual life or sexual orientation
- Biometric data

Blackpool FC Community Trust will, through management and use of appropriate controls, monitoring, and review:

- Use personal data in the most efficient and effective way to deliver better services
- Strive to collect and process only the data or information which is needed
- Use personal data for such purposes as are described at the point of collection, or for purposes which are legally permitted
- Strive to ensure information is accurate
- Not keep information for longer than is necessary
- Securely destroy data which is no longer needed
- Take appropriate technical and organisational security measures to safeguard information (including unauthorised or unlawful processing and accidental loss or damage of data)
- Ensure that information is not transferred abroad without suitable safeguards
- Ensure that there is general information made available to the public of their rights to access information
- Ensure that the rights of people about whom information is held can be fully exercised under the General Data Protection Regulation.

These rights include:

- The right to be informed
- The right of access to personal information
- The right to request rectification
- The right to request erasure
- The right to restrict processing in certain circumstances
- The right to data portability
- The right to object to processing

### 6.0. The principles of data protection

Anyone processing personal data must comply with six principles of good practice. These principles are legally enforceable (Data Protection Act 1998/GDPR, Article 5). Summarised, the principles require that personal data shall be:

- **Processed lawfully, fairly** and in a transparent manner in relation to individuals
- **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
- **Adequate, relevant and limited to what is necessary** in relation to the purposes for which they are processed
- **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
- **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
- **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 accordance with the rights of data subjects under the Data Protection Act 1998.

The current Data Protection Act provides conditions for the processing of any personal data. It also makes a distinction between personal data and 'special category' data.

### 7.0. Compliance

This policy applies to all staff, volunteers, and students at BFCCT. Any breach of this policy of the regulation itself will be considered an offence and disciplinary procedures will be raised (see BFCCT Disciplinary Policy).

To ensure best practice, other organisations and individuals working with BFCCT who have access to personal information, will be expected to read and comply with this policy. It is expected that any organisation who work with BFCCT will agree to this policy as part of a service level agreement.

## Data Protection Policy (GDPR)

BFCCT is both a data controller and a data processor. BFCCT provide both internally and externally funded programmes, some of which BFCCT control what data is collected and processed (e.g. sports camps) and some BFCCT process data on behalf of a data controller (e.g. League Football Education).

This policy will be updated as required to reflect any changes in relevant legislation and amendments to General Data Protection Regulation.

### 8.0. General Data Protection Regulation (GDPR)

The GDPR regulates the processing of personal data and protects the rights of all living individuals (including children). Individuals can exercise the right to gain access to their information by the means of a 'subject access request'. Personal data is information relating to an individual and maybe in the form of a hard copy (paper files) or digital copy (computer files, CCTV, photographs) and may include facts and opinions about a person.

#### 8.1. Responsibilities under the GDPR

Everyone who works for or with Blackpool FC Community Trust has some responsibility for ensuring data is collected, stored, and handled appropriately. Each team that handles personal data must ensure that it is handled and processed in line with this policy and data protection principles.

However, these people have key areas of responsibility:

- The Board of Trustees is ultimately responsible for ensuring that Blackpool FC Community Trust meets its legal obligations
- There are nominated Data Compliance Officers (**Selina Hayes – Head of Education, Jack Shields – Head of Operations**) who is responsible for:
- Keeping the Board of Trustees updated about data protection responsibilities, risks and issues. Reviewing all data protection procedures and related policies
- Arranging data protection training and advice for the people covered by this policy
- Handling data protection questions from staff and anyone else covered by this policy
- Dealing with requests from individuals for subject access requests
- Checking and approving any contracts or agreements with third parties that may handle the company's sensitive data
- Ensuring all systems, services and equipment used for storing data meet acceptable security standards
- Performing regular checks and scans to ensure security hardware and software is functioning properly
- Evaluating any third-party services, the company is considering using to store or process data. For instance, cloud sharing services
- Where necessary, working with other staff to ensure marketing initiatives abide by data protection and Privacy and Electronic Communications Regulation (PECR) principles
- Informing and advising BFCCT and its employees about their obligations to comply with GDPR and other data protection laws
- Monitoring compliance with the GDPR and other data protection laws
- Being the first point of contact for supervisory authorities and for individuals whose data is processed.

Name:

Signed: ..... Date: .....

## 8.2. Lawful basis for processing

- **Consent**

BFCCT will always gain consent from individuals before processing their data, with best practice being to ensure that data is collected and processed in an open and transparent manner.

Consent is especially important when processing sensitive data, as defined by legislation.

BFCCT understands consent to mean that the individual has been fully informed of the intended processing and has signified their agreement (e.g., via the consent/enrolment form) whilst being of sound mind and without undue influence. Consent obtained based on misleading information will not be a valid basis for processing. Consent cannot be assumed from the non-response to a communication.

- BFCCT will include a privacy statement on all consent/enrolment forms unless the statement is provided by the data controller through a contract e.g., League Football Education (LFE) BTEC enrolment.

- **Legitimate interest**

BFCCT will communicate with users who have shown an interest in a specific programme. For example, where an individual has provided contact details regarding a programme BFCCT will update that individual about that programme and similar programmes e.g., BTEC Expression of Interest

- **Performance of contract**

BFCCT have many programmes that are externally funded and as part of the funding contract, BFCCT are required to share certain personal data with these funders. Generally, this data is anonymised and/or the data is shared as non-identifiable data.

## 8.3. Acceptable forms of consent

- **Paper based consent forms**

These forms must be fully completed with a panned signature. Forms without a signature should not be accepted. Where boxes have not been completed, 'no consent' must be assumed.

Links to consent forms can be found in Appendix 2.

- **Online consent**

Online consent can be gained using Official Soccer Schools or a Google Form.

When using a Google Form the criteria included on the paper-based consent form must be included and have clear opt in boxes for each question. An example of this includes registering for work experience.

All consent forms can also be digitally completed via the website, with an acceptable electronic signature statement. The signed box **must** have the name typed or the digital tick box signature **must** have been ticked. Without one of these, consent has not been gained.



### **9.0. Retention of data**

BFCCT will keep some forms of information for longer than others. Information will not be kept indefinitely unless there are specific requirements.

When data is no longer required, it will be appropriately destroyed.

### **10.0. Direct marketing**

Direct marketing is the communication (by whatever means) of any advertising or marketing material which is directed to individuals (Data Protection Act, 1998). This includes all relevant electronic messages (text, calls, and emails) which are directed at someone.

Blackpool FC Community Trust provide direct marketing via electronic means and therefore must adhere to guidelines and regulation set out by the Privacy and Electronic Communications Regulations (PECR).

BFCCT will always gain consent from individuals to provide direct marketing. Individuals will always be provided with the opportunity to 'opt-in' to any of BFCCT's marketing communications.

### **11.0. Data protection when working with children and young people**

Children need particular protection when you are collecting and processing their personal data because they may be less aware of the risks involved.

In line with the lawful basis of consent, Blackpool FC Community Trust provision generally ensures that anyone under the age of 18 years must have parent/guardian consent, exceptions include:

- BTEC online application form
- BTEC expression of interest (hard copy)
- Programme expression of interest
- Work experience expression of interest

Wherever an individual under the age of 18 years can provide BFCCT with personal data, a plain English and age-appropriate privacy notice will be provided.

At no point will BFCCT accept consent from anyone under the age of 13 years old.

Any child taking part in BFCCT provision has the right access their personal data including rectification and having personal data erased.

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

Individuals have a right to access any personal data relating to them which are held by Blackpool FC Community Trust. Any individual wishing to exercise this right should apply in writing to the Data Protection Officer. Any staff receiving a SAR should forward this to the Data Protection Officer.

The Trust reserves a right to charge a fee for data subject access requests (currently £10).

Under the terms of legislation, any such requests must be complied with within 40 calendar days.

The Data Protection Officer will always verify the identity of anyone making a subject access request before providing any information regarding the personal data held.

### 13.0. Data protection risks

This policy helps to protect Blackpool FC Community Trust from some very real data security risks, including:

- **Breaches of confidentiality.** For instances, information being given out inappropriately.
- **Failing to offer choice.** For instance, all individuals should be free to choose how the company uses data relating to them.
- **Reputational damage.** For instance, the company could suffer if hackers successfully gained access to sensitive data.

### 13.1. Reporting breaches

A personal data breach is a breach of security leading to the destruction, loss alteration, unauthorised disclosure of, or access to, personal data. It may include hacking or human error e.g. sending information to the wrong email address.

A reportable breach is one which is likely to result in a risk to people's rights and freedoms. If this is not a likely consequence, the breach does not need to be reported.

All reportable breaches must be reported to the Information Commissioners' Office without undue delay and within 72 hours of discovery (Appendix 1 – Reporting Process).

When reporting a breach, the GDPR says you must provide:

- A description of the nature of the personal data breach including, where possible:
- The categories and approximate number of individuals concerned; and
- The categories and approximate number of personal data records concerned;
- The name and contact details of the Data Compliance Officer or other contact point where more information can be obtained;
- A description of the likely consequences of the personal data breach; and
- A description of the measures taken, or proposed to be taken, to deal with the personal data breach, including, where appropriate, the measures taken to mitigate any possible adverse effects.

All data breaches reportable to the Information Commissioner's Office must be reported to the board of trustees, see the GDPR Data Breach Notification Policy ([Policies](#)). All breaches must be recorded by SLT on the Data Breach Log (SharePoint SLT/Data Protection Records).

This policy will be review following any serious data breach, legislation change and annually.

### 13.2. Security measures to prevent data breaches

BFCCT have a variety of safeguards in place to help keep data secure, these include:

- Secure, encrypted IT systems to ensure that all data stored on computers and in the BFCCT SharePoint are password protected.
- The BFCCT SharePoint is departmental so that only the staff that the data is relevant can access that data.
- Any hard copies of data are stored in locked cabinets.

- The entrance to BFCCT offices is secured using magnetic locks which can only be opened using a pass. Any passes provided to staff are logged and if staff lose a pass, they must report it.
- All visitors are required to sign in and are supervised by a member of the BFCCT staff during their visit.

#### **14.0. Data protection and safeguarding children and adults at risk**

BFCCT will always ensure that a child or adult at risk's personal data is treated confidentially, providing them with a safe space for them to be open and honest with the people caring for them.

However, when working with children and adults at risk it is important to keep in mind two essential factors:

- Timely information sharing is key to safeguarding and promoting the welfare of children and adults at risk. It enables intervention that crucially tackles the problems at an early stage
- If it is deemed a child or adult at risk is at risk or suffering significant harm, the law supports you to share information without consent.

You must have a clear and legitimate purpose for sharing information. Where it is possible you should still gain consent to share confidential information unless:

- Asking for consent may increase the risk of significant harm to the child or adult at risk
- A delay in sharing the information may increase the risk of harm to the child or adult at risk.

Always think of the safety and wellbeing of the child or adult at risk first. Follow the procedures set out in the BFCCT Safeguarding Children and Safeguarding Adults at Risk policies.

Further information regarding children and GDPR see useful information pg. 11.

##### **14.1 Data protection and referral programmes**

BFCCT will always ensure that personal data is treated confidentially and that we have a clear and legitimate purpose for collecting or sharing personal information.

Consent will also be gained to collect and / or share confidential / personal information.

##### **14.2 Data protection and sharing impact.**

BFCCT promote and share the impact of programmes to showcase positive outcomes and to support gaining further funding. This means that there are times when BFCCT would like to share the stories of the people we work with. These methods include but not limited to:

- Impact reviews
- Case studies
- Social media (posts/videos)
- Funding applications
- Monitoring and evaluation of programmes to funders

When demonstrating impact, consent will be gained from the individual(s) the stories are about. Furthermore, they are made aware of the details being shared within the documentation and consent to the content being shared.

## Data Protection Policy (GDPR)

Consent processes and consent forms, including the requirements of third-party consent are detailed in Appendix 2.

### **15.0. Contact details**

#### **Blackpool FC Community Trust**

Seasiders Way

Blackpool

FY1 6JJ

01253 348691

Data Compliance Officers:

Selina Hayes, [selina.hayes@bfctt.co.uk](mailto:selina.hayes@bfctt.co.uk)

Jack Shields, [jack.shields@bfctt.co.uk](mailto:jack.shields@bfctt.co.uk)

#### **Information Commissioners Office:**

<https://ico.org.uk/>

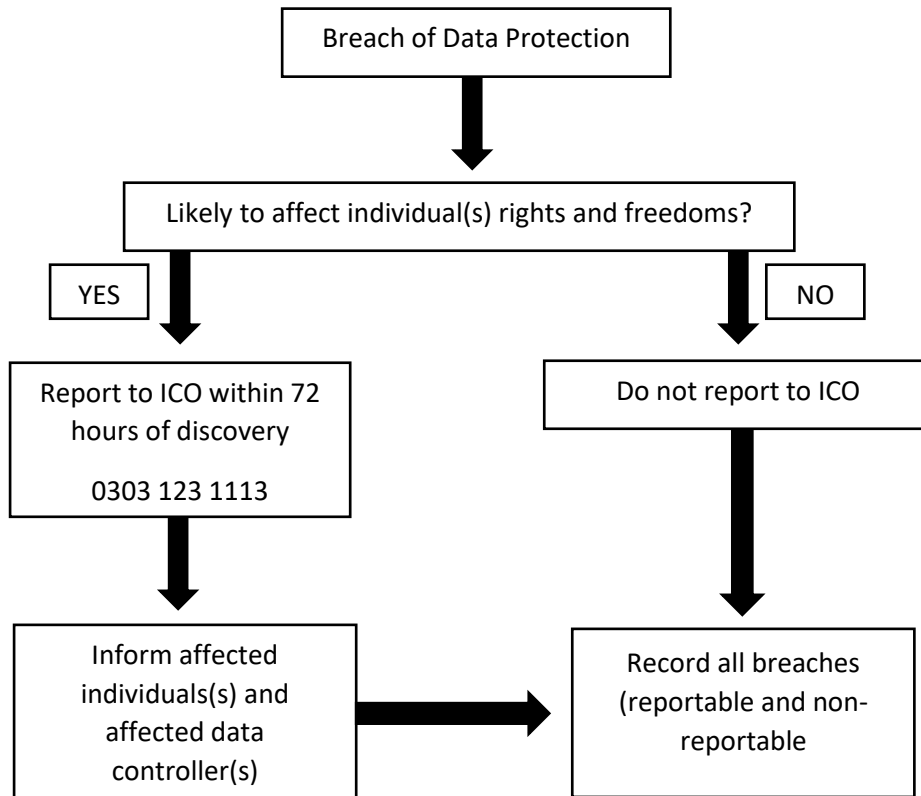
### **16.0. Useful information**

[Consent 101.pdf](#)

[Children and GDPR.pdf](#)

Appendix 1

### Reporting Process of Data Protection Breaches



Data Breach Log - SharePoint SLT/Data Protection Records

**Appendix 2**

**PLEASE NOTE ONLY SIGNED, DATED, AND FULLY COMPELETED FORMS ARE ACCEPTED AS CONSENT**

<b>Type of document</b>	<b>Consent documents required</b>	<b>Links to documents</b>
<p>BFCCT Media including website, leaflets, prospectus and social media</p> <p>Photographs Videos</p>	<p>BFCCT Programme consent form</p> <p>BFCCT Media (photo/video) consent</p>	<p><a href="#">Adult Consent Form 2023.pdf</a></p> <p><a href="#">Under 18s Consent Form 2023.pdf</a></p>
<p>Case study</p> <p>Impact Review</p>	<p>BFCCT Programme consent form</p> <p>BFCCT Media (photo/video) consent</p> <p>BFCCT case study content consent form</p> <p><i>Guidance for case studies can be found in the PLCF safer story telling</i></p>	<p><a href="#">Adult Case Study Form 2023.docx</a></p> <p><a href="#">Under 18s Case Study Form 2023.docx</a></p> <p><a href="#">PLCF CommsToolkit 2022-23 FINAL-compressed.pdf</a></p>
<p>Funding partners e.g. PLCF, EFLT</p> <p>Third parties e.g. BBC, radio. Newspaper</p> <p><b>(If not anonymised)</b></p>	<p>BFCCT Programme consent form</p> <p>BFCCT Media (photo/video) consent</p> <p>BFCCT case study content consent form (where applicable)</p> <p>Funding partners relevant consent form (including content)</p>	<p><a href="#">Adult Case Study Form 2023.docx</a></p> <p><a href="#">Under 18s Case Study Form 2023.docx</a></p> <p><a href="#">Adult Consent Form 2023.pdf</a></p> <p><a href="#">Under 18s Consent Form 2023.pdf</a></p>