

# Crewe Alexandra Football Club



## Data Protection Policy

Approved by	Version	Issue date	Review date	Contact person
Board	7	June 2019	June 2020	Andrew Blackmore

### 1. Position and values

Crewe Alexandra Football Club believes that protecting the privacy of our staff and players and regulating their safety through data management, control, and evaluation is vital to whole-club and individual progress. The club collects personal data from players, parents, and staff and processes it in order to support football development, monitor and report on player and staff progress, and strengthen our pastoral provision.

We take responsibility for ensuring that any data that we collect and process is used correctly and only as is necessary, and the club will keep parents fully informed of the how data is collected, what is collected, and how it is used. Attendance and progress records, personal data, and any relevant medical information are examples of the type of data that the club needs. Through effective data management we can monitor a range of club provisions and evaluation and the wellbeing and academic progression of our club to ensure that we are doing all that we can to support both staff and players.

This policy also sets out our policy for the retention, storage and destruction of records relating to child welfare concerns or concerns about possible risk posed by employees/volunteers.

### 1. Our commitment

In line with the Data Protection Act 1998, and following principles of good practice when processing data, the club will:

- ensure that data is fairly and lawfully processed
- process data only for limited purposes
- ensure that all data processed is adequate, relevant and not excessive
- ensure that data processed is accurate
- not keep data longer than is necessary
- process the data in accordance with the data subject's rights
- ensure that data is secure
- ensure that data is not transferred to other countries without adequate protection.

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There may be circumstances where the club is required either by law or in the best interests of our players or staff to pass information onto external authorities, for example our local authority, statutory agencies (police and social care), The Football Association, EFL (English Football League) and LFE (League Football Education). These authorities are compliant with UK data protection legislation and have their own policies relating to the protection of any data that they receive or collect.

The General Data Protection Regulations (GDPR) now form part of the data protection regime in the UK, together with the new Data Protection Act 2018 (DPA 2018). The main provisions of this apply, like the GDPR, from 25 May 2018, and also link to relevant sections of the GDPR itself, to other Information Commissioner's Office (ICO) guidance and to guidance produced by the EU's Article 29 Working Party (now the European Data Protection Board [EDPB]).

The GDPR contains provisions intended to enhance the protection of children's personal data and to ensure that children are addressed in plain, clear language that they can understand. Transparency and accountability are important where children's data is concerned and this is especially relevant when they are accessing online services. However, in all circumstances the Club will carefully consider the level of protection that we are giving that data.

Recital 38 of the GDPR states that:

*"Children require specific protection with regard to their personal data as they may be less aware of the risks, consequences and safeguards concerned and their rights in relation to the processing of personal data. Such specific protection should, in particular apply to the use of personal data of children for the purposes of marketing or creating personality or user profiles and the collection of personal data with regard to children when using services offered directly to a child. The consent of the holder of parental responsibility should not be necessary in the context of preventive or counselling services offered directly to a child."*

CAFC believes that transparency is key. The Club will seek to raise children's (and their parents') awareness of data protection risks, consequences, safeguards and rights by:

- telling them what we are doing with their personal data;
- being open about the risks and safeguards involved; and
- letting them know what to do if they are unhappy.

This will also enable them to make informed decisions about what personal data they wish to share.

Under no circumstances will the club disclose personal information or data without written and fully informed consent:

- that would increase the risk of significant harm to the child or anyone else's physical or mental health or condition
- indicating that the child is or has been subject to child abuse or may be at risk of it to anyone other than the statutory agencies, where the disclosure would not be in the best interests of the child
- recorded by the player in a medical examination
- that would allow another person to be identified or identifies another person as the source, unless the person is an employee or player has given consent, or it is reasonable in the circumstances to disclose the information without consent. The exemption from disclosure does not apply if the information can be edited/redacted so that the person's name or identifying details are removed

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- in the form of a reference given to another club.

## 2. Requesting data

Players have a right under the Data Protection Act to request information that the club has collected about them by the Club's data controller. This is Andrew Blakemore, Club Secretary and Senior Safeguarding Manager.

Contact details:

Email: [ablakemore@crewealex.net](mailto:ablakemore@crewealex.net)

Tel: 07775 896 669

### Player Football Record

A player (or someone acting on their behalf) can request, in writing, to see their development or medical record, and the club will comply. This record may include:

- a statement of special football development needs
- their personal PMA plan (Premier League Management Application)

A parent or carer can request to see their child's development record, or request it on behalf of their child, in writing.

### Privacy notice

The club will not collect or process the biometric data of any player without parental consent. If the club wishes to collect this information parents will be contacted for consent. This request for consent will include a full explanation about the type of biometric information that will be taken and how it will be used, as well as an explanation of the parents' and player's right to refuse or withdraw their consent.

## 3. Information sharing: safeguarding concerns

If the club or its staff becomes aware of potential concerns or receives information that raises concerns about a child or children, decisions need to be made about information sharing. This could include:

- concerns about a child received within or outside the sport
- concerns about a person in a position of trust, such as a coach – this could include information about criminal records received via a Disclosure and Barring Service (DBS) check
- concerns about a volunteer or player
- concerns about a sports environment, such as an event location or hosting arrangements

The club and its designated safeguarding officers will act in line with the HM Government guidance, *Information sharing: advice for safeguarding practitioners providing safeguarding services* (Department for Education, March 2015) which describes the following '7 Golden Rules' of information sharing:

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1. **Remember that the Data Protection Act 1998 and human rights law are not barriers** to justified information sharing but provide a framework to ensure that personal information about living individuals is shared appropriately.
2. **Be open and honest with the individual** (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. **Seek advice from other practitioners** if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. **Share with informed consent where appropriate** and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, there is good reason to do so, such as where safety may be at risk.
5. **Consider safety and well-being:** Base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.
6. **Necessary, proportionate, relevant, adequate, accurate, timely and secure:** Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.
7. **Keep a record of your decision and the reasons for it**– whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

## Who CAFC will share information with?

Part of the decision-making process will include consideration about who to share information with. This could include:

- **Statutory organisations** -the Police and/or Children’s Services must be informed about child protection concerns. Local Authority Designated Officers/Teams must be consulted where there are concerns about someone in a position of trust. In order to protect or maintain the welfare of our players, and in cases of child abuse, it may be necessary to pass personal data on to social workers or support agencies. If a situation arises where a criminal investigation is being carried out we may have to forward information on to the police to aid their investigation. We will pass information onto courts as and when it is ordered.
- **Disclosure & Barring Service** - must be informed of any concerns about someone in regulated activity who is suspended or expelled from the organisation.
- **Other clubs and other sports organisations** - informing other organisations needs to be considered according to the principles above in order that they can safeguard children in their care who may be at risk of harm.
- **Individuals within the organisation** - this will include members of the safeguarding team (see the club’s safeguarding policies for names and contact details of our designated officers) and key staff members on a strictly ‘need to know’ basis in order to keep children safe according to the principles above.

Club safeguarding records contain sensitive personal information and are treated as highly confidential. They will not be disclosed except where information sharing is in the interests of protecting a child from significant harm or potential harm as the welfare and protection of children and young people is always the paramount consideration (Children Act 1989).

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## 4. Access to data and disclosure

### Staff

We are legally obliged to protect certain information on our staff. Club staff have a right to see records of their personal information. Staff who wish to access this information can make a subject access request under the Data Protection Act 1998. Disclosure of these records will be made once third party information has been removed in accordance with the Data Protection Act 1998.

Club staff will have restricted access to players' personal data and will be given access only on a 'need to know' basis in the course of their duties within the club. All staff are well informed of the Data Protection Act and how their conduct must correspond with this. Staff will use data only for the purpose of which it was collected, and any staff that are found to be acting intentionally in breach of this will be disciplined in line with the seriousness of their misconduct.

### Third parties

Personal data about players will not be disclosed to third parties without the consent of the child's parent or carer, unless it is obliged by law or in the best interest of the child. Data may be disclosed to the following third parties without consent:

### Other Football Clubs

If a player transfers from *Crewe Alexandra Football Club* to another club, their medical records and other data that relates to their health and welfare will be forwarded onto the new club if requested. This will support a smooth transition from one club to the next and ensure that plans can be put in place and services arranged to ensure that the young person is supported appropriately. It will aid continuation which should ensure that there is minimal impact on the child's football development progress as a result of the move.

### Educational Division

Reaseheath College may be required to pass data on in order to help the government to monitor the national educational system and enforce laws relating to education for the club's under 18s.

## 5. Location of information, records and storage of data

Hard copy data, records, and personal information should be stored out of sight and in a locked cupboard no matter what format it is in. The only exception to this is medical information that may require immediate access during the club day. This will be stored the Physiotherapist department. Sensitive or personal information and data should ideally not be removed from the club site, however the club acknowledges that some staff may need to transport data between the club and their home in order to access it for work in the evenings and at weekends (Away fixtures). This may also apply in cases where staff have offsite meetings or are on club visits with players (Tours). The following guidelines are in place for staff in order to reduce the risk of personal data being compromised:

- Paper copies of data or personal information should not be taken off the club site. If these are misplaced they are easily accessed. If there is no way to avoid taking a paper copy of data off the club site, the information should not be on view in public places or left unattended under any circumstances.

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- Unwanted paper copies of data, sensitive information or player files should be shredded. This also applies to handwritten notes if the notes reference any other staff member or player by name. Safeguarding records however should always be retained even if these are handwritten notes.
- Care must be taken to ensure that printouts of any personal or sensitive information are not left in printer trays or photocopiers.
- If information is being viewed on a PC, staff must ensure that the computer window and documents are properly shut down before leaving the computer unattended. Sensitive information should not be viewed on public computers.
- If it is necessary to transport data away from the club, it should be downloaded onto password protected USB stick. The data should not be transferred from this stick onto any home or public computers. Work should be edited from the USB and saved back onto the USB only.
- USB sticks that staff use must belong to the club and password protected.

These guidelines are clearly communicated to all club staff, and any person who is found to be intentionally breaching this conduct will be disciplined in line with the seriousness of their misconduct.

## 6. Retention of data

According to Data Protection principals, records containing personal information should be:

- adequate, relevant and not excessive for the purpose(s) for which they are held;
- accurate and up to date; and
- only kept for as long as is necessary

The introduction of the General Data Protection Regulation (GDPR) in 2018 does not change the way child protection records should be stored and retained. The club will retain all records about children/adults which relate to child protection/safeguarding concerns. These records may be retained indefinitely and recent concerns across the sport sector about historic abuse or cumulative harm over periods of time from harmful behaviours evidences the need and justification for this approach in relation to safeguarding issues.

Where the club decides that the threshold has not been met for referring concerns about a child's welfare to the police or social services, CAFC will still retain a keep a record of the issues that were raised as sometimes a picture of more serious safeguarding concerns becomes apparent over time. All files containing personal, sensitive or confidential data will be stored securely and access enabled on a strictly 'need to know' basis.

To keep personal information secure the club maintains a central electronic recording system with restricted access. Both hard copy and electronic files will be compiled and labelled carefully. Information about child protection concerns and referrals will be kept in a separate child protection file for each child, rather than in one 'concern log' or within a child's general records. Record keeping and the compilation of child protection files will be started as soon as the club becomes aware of any concerns. An individual's general record will be marked where appropriate to indicate that there is a separate child protection file. A log will be maintained which records who has accessed the confidential files, when, and the titles of the files they have used.

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Where there is no safeguarding or legal requirement for records to be retained for a specific period and they have not been transferred to a new club, these records will usually be kept for a period of 7 years after the individual has left the club.

The club will not keep personal data on players for any longer than is necessary. Information such as statistical data, and information that is collected to be kept as part of club records, will be kept by the club even after the child leaves. All records that are not retained will be shredded and a record made of who performed this task and when.

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## Signed by

\_\_\_\_\_ **Chair of the Board** **Date: .....**

\_\_\_\_\_ **Academy Manager** **Date: .....**

\_\_\_\_\_ **Senior Safeguarding Manager** **Date: .....**