



# Halliwick Penguins Swimming Club

for disabled people

## PRIVACY NOTICE

We are committed to respecting your privacy. This notice is to explain how we may use personal information we collect before, during and after your membership with us.

This notice applies to you if you have applied to become or are a member of our club and applies to everyone in the club or who is applying to become a member of the club, including volunteers, helpers, instructors, swimmers and their parents/guardians where applicable. It also applies to general enquirers/complainants.

This notice explains how we comply with the law on data protection and what your rights are. For the purposes of data protection we will be a controller of your personal information.

References to **we**, **our** or **us** in this privacy notice are to Halliwick Penguins Swimming Club (HPSC). We are a not for profit organisation and we are a registered charity with the Charity Commission of England & Wales, number 1033588.

We are a **Data Controller** for the purposes of the General Data Protection Regulation (GDPR) 2018 and the Data Protection Act 1998 and any subsequent legislation that might from time-to-time apply.

We have appointed a Data Protection Officer to oversee our compliance with data protection laws, but our Trustees have overall responsibility for data protection compliance in the club. Contact details are set out in the "**Contacting us**" section at the end of this privacy notice.

### 1. PERSONAL INFORMATION WE MAY COLLECT FROM YOU

You may initially provide us with or we may obtain **personal information** about you, such as information regarding your:

- personal contact details that allows us to contact you directly such as name, title, address, email address and telephone numbers;
- date of birth;
- gender;
- membership start and end date;
- references and other information as part of the application process for membership;
- interactions with us such as telephone conversations, emails and other correspondence and your instructions to us;
- attendance at any club sessions or other events hosted by us;
- marketing preferences so that we know whether and how we should contact you.
- details of next of kin, family members, coaches and emergency contacts;

### 2. SPECIAL CATEGORIES OF PERSONAL INFORMATION

We may also collect, store and use the following "**special category**" of more sensitive personal information about you:

- information about your health, including any medical condition/disability, medical records and health professional information.

We may not collect this special category personal information about you but where we do, in relation to that special category of personal data that we do process, we do so based on your explicit consent which can be withdrawn at any time.

### 3. WHERE WE COLLECT YOUR INFORMATION

We typically collect personal information about our members or prospective members when they apply to become a member of the club, when they make a query and/or complaint or when they correspond with us by phone, email or in some other way.

We also may collect personal information about an individual from any third party references provided to us as part of the application process for membership and we may sometimes collect additional information from former clubs attended by an individual or via background check agencies (such as by way of DBS checks carried out).

If you are providing us with details of referees, next of kin, family members and emergency contacts they have a right to know and to be aware of what personal information we hold about them, how we collect it and how we use and may share that information. Please share this privacy notice with those of them whom you feel are sufficiently mature to understand it. They also have the same rights as set out in the "**Your rights in relation to personal information**" section below.

### 4. USES MADE OF THE INFORMATION

The table below describes the main purposes for which we process your personal information, the categories of your information involved and our lawful basis for being able to do this.

Relevant to all Members or Potential Members

Purpose	Personal information used	Lawful basis
<b>To administer any membership you have with us and managing our relationship with you, including dealing with support or service enquiries made by you</b>	All contact and membership details, records of your interactions with us, and marketing preferences	This is necessary to enable us to properly manage and administer your membership with us.
<b>To arrange and manage the provision of services to you</b>	Contact details, records of your interactions with us	This is necessary to enable us to properly administer and perform the provision of any services to you.
<b>To send you information about club sessions, including details about competitions and events</b>	Contact and membership details	This is necessary to enable us to properly manage and administer your membership with us.
<b>To send you other marketing information we think you might find useful/interesting or which you have requested from us, including our newsletters</b>	Contact details and marketing preferences	Where you have given us your explicit consent to do so.
<b>To answer your queries or complaints</b>	Contact details and records of your interactions with us	We have a legitimate interest to provide complaint handling services to you in case there are any issues with your membership.
<b>Retention of records</b>	All the personal information we collect	We have a legitimate interest in retaining records whilst they may be required in relation to complaints or claims. We need to retain records in order to properly administer and manage your membership and run our club and in some cases we may have legal or regulatory obligations to retain records. We process special category personal data on the basis of the “special category reasons for processing of your personal data” referred to in section 2 above. For DBS checking purposes, we process that information on the basis of legal obligations or based on your explicit consent.
<b>To monitor membership attendance at the club</b>	Records of your attendance at any club sessions or other events/competitions	We have a legitimate interest in doing so to ensure that our membership is targeted and relevant and so that we can manage club sessions and other events safely and effectively.
<b>For the purposes of promoting the club, our events and membership.</b>	Images in video and/or photographic form	Where you have given us your explicit consent to do so.
<b>To comply with health and safety requirements</b>	Records of attendance, medical information about your health	We have a legal obligation and a legitimate interest to provide you and other members of our club with a safe environment in which to participate in swimming and water activities. We process special category personal data on the basis of the “special category reasons for processing of your personal data” referred to in section 2 above.

<b>To administer your attendance at any courses or programmes you sign up to</b>	All contact and membership details	This is necessary to enable us to register you on to and properly manage and administer your attendance on the course and/or programme.
<b>To arrange for any trip or transportation to and from an event including other club/regional/national swimming galas</b>	Details of next of kin, family members and emergency contacts, health and medical information	This is necessary to enable us to make the necessary arrangements for the trip and/or transportation to an event. We process special category personal data on the basis of the “special category reasons for processing of your personal data” referred to in section 2 above.
<b>To use information about your physical or mental health (including any injuries) or disability status, to ensure your health and safety and to assess your fitness to participate in any events or activities we host and to provide appropriate adjustments to our sports facilities.</b>	Health and medical information	We process special category personal data on the basis of the “special category reasons for processing of your personal data” referred to in section 2 above.
<b>To gather evidence for possible grievance or disciplinary hearings</b>	All the personal information we collect	We have a legitimate interest in doing so to provide a safe and fair environment for all members and to ensure the effective management of any disciplinary hearings, appeals and adjudications. We process special category personal data on the basis of the “special category reasons for processing of your personal data” referred to in section 2 above.
<b>For the purposes of equal opportunities monitoring</b>	Health and medical information	We have a legitimate interest to promote a sports environment that is inclusive, fair and accessible. We process special category personal data on the basis of the “special category reasons for processing of your personal data” referred to in section 2 above.
<b>To comply with legal obligations, for example, regarding people working with children or vulnerable adults to comply with our safeguarding requirements</b>	Information about your criminal convictions and offences via DBS checks or similar	For criminal records history we process it on the basis of legal obligations or based on your explicit consent.

Additionally, Relevant to all Volunteers or Potential Volunteers

<b><i>Purpose</i></b>	<b><i>Personal information used</i></b>	<b><i>Lawful basis</i></b>
<b>Making a decision about your appointment as a volunteer and managing the appointment process</b>	All the personal information we collect from you as part of the application process. Records of volunteering history including referee details and any references	We need this information to be able to perform and administer your membership with us as a volunteer.
<b>Paying you for any out of pocket expenses</b>	Transaction and payment information	We need this information to make any out-of-pocket expense payments to you.

<b>Assessing experience for a particular role or task</b>	Records of your volunteering history and all information included as part of the volunteering application process	We have a legitimate business interest to ensure that our volunteers are suitable for the role.
<b>Dealing with legal disputes involving you, or any other volunteers, including accidents</b>	All non-‘special categories’ of personal information	We have a legitimate interest to ensure that all legal claims are managed effectively.  We also have a legal obligation to report any accidents in accordance with health and safety laws.
<b>To assess your performance as a volunteer</b>	Performance including any feedback provided to us by you, other volunteers or members of the club or by other third parties	We have a legitimate interest to ensure your suitability for any future volunteering roles and to ensure that your volunteering experience with us is positive and worthwhile.

For some of your personal information there will be a legal or other requirement or obligation for you to provide us with your personal information. If you do not provide us with the requested personal information we may not be able to admit you as a member or we may not be able to properly provide you with membership services or comply with legal obligations and we may have to terminate your membership. For other personal information you may not be under an obligation to provide it to us, but if you do not provide it then we may not be able to properly provide you with membership services.

Where you have given us your consent to use your personal information in a particular manner, you have the right to withdraw this consent at any time, which you may do by contacting us as described in the "**Contacting us**" section below.

Please note however that the withdrawal of your consent will not affect any use of the data made before you withdrew your consent and we may still be entitled to hold and process the relevant personal information to the extent that we are entitled to do so on bases other than your consent. Withdrawing consent may also have the same effects as not providing the information in the first place, for example we may no longer be able to provide certain member benefits to you.

## 5. **DIRECT MARKETING**

**Email, post, telephone and SMS marketing:** from time to time, we may contact you by email, post, telephone or SMS with information about the club including any newsletter or information about events being organised.

We will only send marketing messages to you in accordance with your agreement. You can let us know at any time that you do not wish to receive marketing information by contacting us (see "**Contacting us**" section below).

## 6. **DISCLOSURE OF YOUR PERSONAL INFORMATION**

We may share personal information with the following parties:

- **Any party approved by you.**
- With your consent (which may be withdrawn at any time), with **medical advisors, healthcare professionals, social and welfare organisations.**
- **Legal and other legitimate advisors, courts and tribunals.**
- **Our insurers.**
- **Those necessary to fulfil any legal obligations** [including any obligations we have as a registered charity].
- **To any governing bodies or local/regional/national bodies to which we are affiliated:** to allow them to properly govern us or administer Halliwick swimming on a local, regional and national level.
- **The Government or our regulators:** where we are required to do so by law or to assist with their investigations or initiatives.
- **Police, law enforcement and security services:** to assist with the investigation and prevention of crime and the protection of national security.

## 7. **TRANSFERRING YOUR PERSONAL INFORMATION INTERNATIONALLY**

The personal information we collect is not transferred to or processed in countries outside of the European Economic Area (EEA).

## 8. **HOW LONG DO WE KEEP PERSONAL INFORMATION FOR?**

The duration for which we retain your personal information will differ depending on the type of information and the reason why we collected it from you. However, in some cases personal information may be retained on a

long-term basis: for example, personal information that we need to retain for legal purposes will normally be retained in accordance with usual commercial practice and regulatory requirements. Generally, where there is no legal requirement we retain all physical and electronic records for a period of 6 years after your last contact with us or the end of your membership. Exceptions to this rule are:

- Details regarding unsuccessful membership applications where we would not generally hold records for a period of not more than 12 months;
- Information that may be relevant to legal claims (for example personal injury or discrimination claims) may be retained until the limitation period for those types of claims has expired. This can be an extended period as the legal limitation period might not start to run until a long time after the event.

It is important to ensure that the personal information we hold about you is accurate and up-to-date, and you should let us know if anything changes, for example if you change your phone number or email address or if any health condition/disability you have changes. You can contact us by using the details set out in the "**Contacting us**" section below.

## 9. **YOUR RIGHTS IN RELATION TO PERSONAL INFORMATION**

You have the following rights in relation to your personal information:

- the right to be informed about how your personal information is being used;
- the right to access the personal information we hold about you;
- the right to request the correction of inaccurate personal information we hold about you;
- the right to request the erasure of your personal information in certain limited circumstances;
- the right to restrict processing of your personal information where certain requirements are met;
- the right to object to the processing of your personal information;
- the right to request that we transfer elements of your data either to you or another service provider; and
- the right to object to certain automated decision-making processes using your personal information.

You should note that some of these rights, for example the right to require us to transfer your data to another service provider or the right to object to automated decision making, may not apply as they have specific requirements and exemptions which apply to them and they may not apply to personal information recorded and stored by us. For example, we do not use automated decision making in relation to your personal data. However, some have no conditions attached, so your right to withdraw consent or object to processing for direct marketing are absolute rights.

Whilst this privacy notice sets out a general summary of your legal rights in respect of personal information, if you would like it, more information about your legal rights can be found on the Information Commissioner's website at <https://ico.org.uk/for-the-public/>.

To exercise any of the above rights, or if you have any questions relating to your rights, please contact us by using the details set out in the "**Contacting us**" section below.

If you are unhappy with the way we are using your personal information, we are here to help and encourage you to contact us to resolve your complaint in the first instance. If you are still not happy, you can complain to the UK Information Commissioner's Office ([www.ico.org.uk](http://www.ico.org.uk)) or to your local data protection regulator.

## 10. **CHANGES TO THIS NOTICE**

We may update this privacy notice from time-to-time. When we change this notice in a material way, we will update the version date at the bottom of this page. For significant changes to this notice we will try to give you reasonable notice unless we are prevented from doing so. Where required by law we will seek your consent to changes in the way we use your personal information.

## 11. **CONTACTING US**

In the event of any query about this policy or query or complaint in connection with the information we hold about you, please email William Wyatt, club Chair and Data Protection Officer at [halliwickpenguins.chair@gmail.com](mailto:halliwickpenguins.chair@gmail.com) or write to him at Hollycrofts, Walnut Tree Lane, Loose, Maidstone, Kent, ME15 9RQ..