

BERWICK RANGERS FOOTBALL CLUB PLC

PRIVACY POLICY – CLUB COMMUNICATION General Data Protection Regulation (GDPR)

1 INTRODUCTION

Berwick Rangers Football Club respects your privacy and is committed to protecting your personal data. This privacy notice documents your privacy rights and will inform you about how we use and look after your personal data which we receive as part of your club's Official Return.

In this Policy, **Data Protection Legislation** means all applicable legislation which relates to the protection of individuals with regards processing personal data, including the General Data Protection Regulation (EU) 2016/679.

2 IMPORTANT INFORMATION AND WHO WE ARE

2.1 Purpose of this privacy notice

This privacy notice aims to give you information on how Berwick Rangers FC processes your personal data which we receive from all and various bodies, individuals, football clubs etc.

It is important that you read this privacy notice so that you are fully aware of how and why we are using your personal data. This privacy notice relates only to your personal data which is captured as part of our ongoing business process, and is not intended to replace any other privacy notice or fair processing notice which we may provide on specific occasions when we are collecting or processing personal data about you.

2.2 Controller

BERWICK RANGERS FOOTBALL CLUB PLC which has its registered office at Shielfield Park, Tweedmouth, Berwick upon Tweed TD15 2EF with Company Number **00509064** (Registered in England) is the controller and responsible for your personal data (referred to as Berwick Rangers FC, **we, us or our** in this privacy notice).

We have notified the Information Commissioner's Office that we are a data controller under registration number **ZA358293**. This means that we are responsible for deciding how we hold and use personal information about you. We are required under Data Protection Legislation to notify you of the information contained in this privacy notice. Our contact details are set out at section 12 below.

3 INFORMATION THAT WE COLLECT FROM YOU

3.1 What is personal data?

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data from which an individual can no longer be identified (anonymous data).

3.2 What personal data do we collect from you?

The personal data which we collect from you will depend on the role which you hold with the relevant body/business. The information which we collect for the various roles are as general:

- a) full name and company where relevant, telephone number (business, personal and mobile), and email address (business and personal).
- b) **All other relevant positions (including: Office Bearers; Secretary; Directors; Officials Staff and/or Members of the Board of Management or Committee):** full name, office, details of professional qualifications, postal address, and telephone numbers (business and personal).

4 HOW IS YOUR PERSONAL DATA COLLECTED?

As part of Berwick Rangers FC process, we will receive your personal data from individuals or companies with whom you are employed or act on behalf of or in an official capacity (for example, as an individual, office bearer, company secretary, director, staff, sole proprietor or as a member of any board of management or committee).

We may receive personal data directly from you where you fill out and send to us communication(s)

5 HOW WE USE YOUR PERSONAL DATA

5.1 What processing grounds do we rely on?

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- where we need to perform the contract we are about to enter into or have entered into with you;
- where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests, for example, in fulfilment of our governance and compliance duties as a registered Scottish FA/Scottish Professional League Football Club; and as a Public Limited Company (registered in England-see registration at head of Policy)
- where we need to comply with a legal or regulatory obligation.

Please note that we may process your personal data without your knowledge or consent, where this is required or permitted by law, for example in legal proceedings or regulatory investigations. Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

We may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data.

5.2 How do we use your information?

We may use your personal data for some or all of the following purposes:

- a) for the proper administration and management of Berwick Rangers FC;
- b) for the maintenance of accurate and up to date records by Berwick Rangers FC
- c) by the board of directors and officials/staff of Berwick Rangers FC (**the Board**) in general business matters.
- d) in the course of general administration of the Berwick Rangers Football Club.

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal data for an unrelated purpose, we will explain the legal basis which allows us to do so.

5.3 If you fail to provide your Personal Data

Where the relevant body does not provide us with your personal data, this can have implications for the club's ongoing membership with the Scottish FA/Scottish Professional League and as a PLC, including the suspension and/or revocation of the relevant club's licence (which will affect the club's ability to participate in professional leagues).

6 DISCLOSURE OF YOUR INFORMATION

6.1 Disclosure to selected third parties

The information you provide to us will be treated as confidential. However, we may disclose your information to other third parties who act for us for the purposes set out in the policy or for purposes approved by you, including to suppliers who provide marketing, financial, cloud computing and ticketing services. We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions. In addition, if our business enters into a

joint venture with or is sold to or merged with another business entity, your information may be disclosed to our new business partners or owners.

6.2 Disclosure to UEFA and FIFA

Where it is necessary for the proper administration of Berwick Rangers FC, Scottish FA, SPFL, UEFA or FIFA, we may share your personal data with these bodies and they may use your personal data for governance and compliance purposes, which may include undertaking investigations into any alleged breach of rules governing player transfers.

6.3 Transferring data outside of the EEA

We may need to transfer your personal data outside of the European Economic Area (EEA) to service providers, agents, subcontractors and regulatory authorities in countries where data protection laws may not provide the same level of protection as those in the EEA.

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see European Commission: Adequacy of the protection of personal data in non-EU countries.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see European Commission: Model contracts for the transfer of personal data to third countries.
- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US. For further details, see European Commission: EU-US Privacy Shield.

7 DATA RETENTION

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal data so that it can no longer be associated with you, in which case we may use such information without further notice to you.

SECURITY

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so. In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you. Please be aware that the transmission of information via the internet is not always completely secure. Although we will do our best to protect your personal data, we cannot guarantee the complete security of your data transmitted to us electronically; any transmission is at your own risk.

YOUR RIGHTS

9.1

Individual rights

You have various rights in respect of the personal data we hold about you – these are set out in more detail below. If you wish to exercise any of these rights, or for more information about your rights, please contact us by emailing club@berwickrangers.com.

- **Access to your personal data:** You can request access to a copy of your personal data that we hold, along with information on what personal data we use, why we use it, who we share it with, how long we keep it for and whether it has been used for any automated decision making. You can make a request for access free of charge. Please make all requests for access in writing to the email address set out above.
- **Right to object:** You can object to our processing of your personal data where we are relying on a legitimate interest (or the legitimate interests of a third party) to process your personal data and there is something about your particular situation which makes you want to object to processing on these grounds.
- **Consent:** In the majority of circumstances, we won't need your consent to use your personal data as we will be using it only to fulfil our obligations and exercise our rights as an employer. There are limited circumstances where we may ask for your consent to process your information. Where you have given us your consent to use personal data, you can withdraw your consent at any time.
- **Rectification:** You can ask us to change or complete any inaccurate or incomplete personal data held about you.
- **Erasure:** You can ask us to delete your personal data where it is no longer necessary for us to use it, you have withdrawn consent, or where we have no lawful basis for keeping it.

Where we are required by law to keep certain information, we will be unable to delete such information.

- **Portability:** You can ask us to provide you or a third party with some of the personal data that we hold about you in a structured, commonly used, electronic form, so it can be easily transferred to you or a third party.
- **Restriction:** You can ask us to restrict the personal data we use about you where you have asked for it to be erased or where you have objected to our use of it.
- **No automated-decision making:** Automated decision-making takes place when an electronic system uses personal data to make a decision without human intervention. You have the right not to be subject to automated decisions that will create legal effects or have a similar significant impact on you, unless you have given us your consent, it is necessary for a contract between you and us or is otherwise permitted by law. You also have certain rights to challenge decisions made about you.

9.2 No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

9.3 What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

9.4 Time limit to respond

We try to respond to all legitimate requests within one month of receiving a written request. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

10 CHANGES TO OUR PRIVACY POLICY

We may amend this policy from time to time. If we make any substantial changes we will notify you by posting a prominent notice on our website or by email. Historic versions can be obtained by contacting us. Our website is: www.berwickrangers.com

11 YOUR DUTY TO INFORM US

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

12 CONTACT US

12.1 Contact Details

If you have any questions, suggestions or complaints about the processing of your personal data or wish to contact us to amend/update your personal data, please contact us by emailing club@berwickrangers.com

12.2 Making a complaint

You can make a complaint to us about how we handle and use your personal data by first contacting us at club@berwickrangers.com in the first instance, and then if not satisfied, to the data protection supervisory authority – in the UK, this is the Information Commissioner's Office, at <https://ico.org.uk/>.

DATED MAY 2018