

# DATA RETENTION POLICY

## 1. Introduction

This Policy sets out the obligations of Andover Triathlon Club (“ATC”) regarding retention of personal data collected, held, and processed by ATC in accordance with EU Regulation 2016/679 General Data Protection Regulation (“GDPR”).

The GDPR defines “personal data” as any information relating to an identified or identifiable natural person (a “data subject”). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.

The GDPR also addresses “special category” personal data (also known as “sensitive” personal data). Such data includes, but is not necessarily limited to, data concerning the data subject’s race, ethnicity, politics, religion, trade union membership, genetics, biometrics (if used for ID purposes), health, sex life, or sexual orientation.

Under the GDPR, personal data shall be kept in a form which permits the identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed. In certain cases, personal data may be stored for longer periods where that data is to be processed for archiving purposes that are in the public interest, for scientific or historical research, or for statistical purposes (subject to the implementation of the appropriate technical and organisational measures required by the GDPR to protect that data).

In addition, the GDPR includes the right to erasure or “the right to be forgotten”. Data subjects have the right to have their personal data erased (and to prevent the processing of that personal data) in the following circumstances:

- a) Where the personal data is no longer required for the purpose for which it was originally collected or processed (see above);
- b) When the data subject withdraws their consent;
- c) When the data subject objects to the processing of their personal data and ATC has no overriding legitimate interest;
- d) When the personal data is processed unlawfully (i.e. in breach of the GDPR);
- e) When the personal data has to be erased to comply with a legal obligation; or
- f) Where the personal data is processed for the provision of information society services to a child.

This Policy sets out the type(s) of personal data held by ATC, the period(s) for which that personal data is to be retained, the criteria for establishing and reviewing such period(s), and when and how it is to be deleted or otherwise disposed of.

For further information on other aspects of data protection and compliance with the GDPR, please refer to ATC’s Data Protection Policy.

## 2. Aims and Objectives

- 2.1 The primary aim of this Policy is to set out limits for the retention of personal data and to ensure that those limits, as well as further data subject rights to erasure, are complied with. By extension, this Policy aims to ensure that ATC complies fully with its obligations and the rights of data subjects under the GDPR.

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- 2.2 In addition to safeguarding the rights of data subjects under the GDPR, by ensuring that excessive amounts of data are not retained by ATC, this Policy also aims to improve the speed and efficiency of managing data.

### **3. Scope**

- 3.1 This Policy applies to all personal data held by ATC and by third-party data processors processing personal data on ATC's behalf.
- 3.2 Personal data, as held by ATC is stored in the following ways and in the following locations:
- a) on servers supporting the I.T. systems of ATC's Membership Secretary and Coaches;
  - b) on computers in the possession of ATC's Membership Secretary and Coaches;
  - c) physical records held by the Membership Secretary and the Coaches.

### **4. Data Subject Rights and Data Integrity**

All personal data held by ATC is held in accordance with the requirements of the GDPR and data subjects' rights thereunder, as set out in ATC's Data Protection Policy.

- 4.1 Data subjects are kept fully informed of their rights, of what personal data ATC holds about them, how that personal data is used and how long ATC will hold that personal data (or, if no fixed retention period can be determined, the criteria by which the retention of the data will be determined).
- 4.2 Data subjects are given control over their personal data held by ATC including the right to have incorrect data rectified, the right to request that their personal data be deleted or otherwise disposed of (notwithstanding the retention periods otherwise set by this Data Retention Policy), the right to restrict ATC's use of their personal data, the right to data portability, and further rights relating to automated decision-making and profiling.

### **5. Technical and Organisational Data Security Measures**

- 5.1 The following technical measures are in place within the Company to protect the security of personal data:
- a) all emails containing personal data must be marked "confidential";
  - b) personal data may only be transmitted over secure networks;
  - c) where personal data is to be sent by facsimile transmission the recipient should be informed in advance and should be waiting to receive it;
  - d) where personal data is to be transferred in hardcopy form, it should be passed directly to the recipient;
  - e) all personal data transferred physically should be transferred in a suitable container marked "confidential";
  - f) no personal data may be shared informally and if access is required to any personal data, such access should be formally requested from the Data Protection Officer;

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- g) all hardcopies of personal data, along with any electronic copies stored on physical media should be stored securely;
  - h) no personal data may be transferred to any other third parties, whether such parties are working on behalf of ATC or not, without authorisation;
  - i) personal data must be handled with care at all times and should not be left unattended or on view;
  - j) computers used to view personal data must always be locked before being left unattended;
  - k) all personal data stored electronically should be backed up with backups stored securely;
  - l) all electronic copies of personal data should be stored securely using passwords and if possible encryption;
  - m) all passwords used to protect personal data should be changed regularly and should must be secure;
  - n) under no circumstances should any passwords be written down or shared. If a password is forgotten, it must be reset using the applicable method;
  - o) all software should be kept up-to-date. Security-related updates should be installed as soon as reasonably possible after becoming available; and
  - p) where personal data held by ATC is used for marketing purposes, it shall be the responsibility of the person using that data to ensure that the appropriate consent is obtained and that no data subjects have opted out, whether directly or via a third-party service.
- 5.2 The following organisational measures are in place within ATC to protect the security of personal data:
- a) all individuals/office holders, coaches and other parties on behalf of ATC shall be made fully aware of both their individual responsibilities and ATC's responsibilities under the GDPR and under the Company's Data Protection Policy;
  - b) only those individuals and other parties on behalf of ATC that need access to, and use of, personal data in order to perform their role or work shall have access to personal data held by ATC;
  - c) all individuals and other parties on behalf of ATC handling personal data should exercise care and caution when discussing any matters relating to personal data at all times;
  - d) methods of collecting, holding, and processing personal data shall be regularly evaluated and reviewed by ATC's Committee;
  - e) the performance of those individuals and other parties on behalf of ATC handling personal data shall be regularly evaluated and reviewed by ATC's Committee;
  - f) all agents, contractors, or other parties working on behalf of ATC handling personal data must ensure that any and all relevant employees or sub-contractors are held to the same conditions as those relevant employees of ATC arising out of the GDPR and the Company's Data Protection Policy;
  - g) where any agent, contractor or other party working on behalf of ATC handling personal data fails in their obligations under the GDPR and/or ATC's Data Protection Policy, that party shall indemnify and hold harmless ATC against any costs, liability, damages, loss, claims or proceedings which may arise out

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of that failure.

### 6. Data Disposal

Upon the expiry of the appropriate data retention periods determined by the Committee of ATC from time to time, or when a data subject exercises their right to have their personal data erased, personal data shall be deleted, destroyed, or otherwise disposed of as follows:

- 6.1 personal data stored electronically (including any and all backups thereof) shall be deleted;
- 6.2 special category personal data stored electronically (including any and all backups thereof) shall be deleted;
- 6.3 personal data stored in hardcopy form shall be shredded;
- 6.4 special category personal data stored in hardcopy form shall be shredded.

### 7. Data Retention

- 7.1 As stated above, and as required by law, ATC shall not retain any personal data for any longer than is necessary in light of the purpose(s) for which that data is collected, held, and processed.
- 7.2 Different types of personal data, used for different purposes, will necessarily be retained for different periods (and its retention periodically reviewed), as set out below.
- 7.3 When establishing and/or reviewing retention periods, the following shall be taken into account:
  - a) the objectives and requirements of ATC;
  - b) the type of personal data in question;
  - c) the purpose(s) for which the data in question is collected, held, and processed;
  - d) ATC's legal basis for collecting, holding, and processing that data; and
  - e) the category or categories of data subject to whom the data relates.
- 7.4 If a precise retention period cannot be fixed for a particular type of data, criteria shall be established by which the retention of the data will be determined, thereby ensuring that the data in question, and the retention of that data, can be regularly reviewed against those criteria.
- 7.5 In limited circumstances, it may also be necessary to retain personal data for longer periods where such retention is for archiving purposes that are in the public interest, for scientific or historical research purposes, or for statistical purposes. All such retention will be subject to the implementation of appropriate technical and organisational measures to protect the rights and freedoms of data subjects, as required by the GDPR.

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### 8. Roles and Responsibilities

- 8.1 ATC's Data Protection Officer is Peter Holt, BTF Level 2 Coach and ATC Committee member.
- 8.2 The Data Protection Officer shall be responsible for overseeing the implementation of this Policy and for monitoring compliance with this Policy, ATC's other Data Protection-related policies (including, but not limited to, its Data Protection Policy), and with the GDPR and other applicable data protection legislation.
- 8.3 ATC's Committee shall be directly responsible for ensuring compliance with the above data retention periods.
- 8.4 Any questions regarding this Policy, the retention of personal data, or any other aspect of GDPR compliance should be referred to the Data Protection Officer.

### 9. Implementation of Policy

This Policy shall be deemed effective as of 25 May 2018. No part of this Policy shall have retroactive effect and shall thus apply only to matters occurring on or after this date.