



FACILITY 1  
HEMEL HEMPSTEAD SPORTS CENTRE | PARK ROAD | HERTS | HP1 1JS  
01442 230077 OPTION 1 | ADMIN.SC@SAPPHIREGYMNASTICS.CO.UK

FACILITY 2  
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## **UK GDPR Privacy and Data Protection Policy**

### **Privacy Notice: Employees / Volunteers**

This Privacy Notice tell you how we will use and store the information you give us when you apply to work or volunteer at Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd.

Data controller: Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd

Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd collects and processes personal data relating its employees to manage the employment relationship. Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

### **What information does Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd collect?**

Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd collects and processes a range of information about you. This includes:

- Your name, address and contact details, including email address and telephone number, date of birth and gender;
- The terms and conditions of your employment;
- Details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd;
- Information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- Details of your bank account and national insurance number;
- Information about your marital status, next of kin, dependants and emergency contacts;
- Information about your nationality and entitlement to work in the UK;
- Information about your criminal record;
- Details of your schedule (days of work and working hours) and attendance at work;
- Details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave;
- Details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- Assessments of your performance, including appraisals, performance reviews and ratings, performance improvement plans and related correspondence;
- Information about medical or health conditions, including whether you have a disability for which The Hamlet needs to make reasonable adjustments; and



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- Equal opportunities monitoring information including information about your ethnic origin, sexual orientation and religion or belief. (This is collected at recruitment and is anonymous)

Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd may collect this information in a variety of ways. For example, data might be collected through application forms, CVs or resumes; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment (such as benefit nomination forms); from correspondence with you; or through interviews, meetings or other assessments.

In some cases, Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd may collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law.

Data will be stored in a range of different places, including in your personnel file, in Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd HR management systems and in other IT systems (including Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd email system).

### **Why does Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd process personal data?**

Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd needs to process data to enter into an employment contract / agreement with you and to meet its obligations under your employment contract / agreement. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer [benefit, pension and insurance entitlements].

In some cases, Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled.

In other cases, Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd to:

- Run recruitment and promotion processes;



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- Maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
- Operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- Operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
- Operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- Obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving
- The pay or other benefits to which they are entitled;
- Operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- Ensure effective general HR and business administration;
- Provide references on request for current or former employees; and
- Respond to and defend against legal claims.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities).

Where Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd processes other special categories of personal data, such as information about ethnic origin, sexual orientation or religion or belief, this is done for the purposes of equal opportunities monitoring. Data that Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd uses for these purposes is anonymised or is collected with the express consent of employees, which can be withdrawn at any time. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

### **Who has access to data?**

Your information may be shared internally, including with members of the HR and recruitment team (including payroll), your line manager, managers in the service / business area in which you work and IT staff if access to the data is necessary for performance of their roles.

Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd shares your data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and obtain necessary criminal records checks from the Disclosure and Barring Service. Sapphire Gymnastics CIC and



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Sapphire School of Gymnastics Ltd may also share your data with third parties in the context of a sale of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements.

Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd also shares your data with third parties that process data on its behalf, in connection with payroll, pension providers, absence management system, HR consultants, Charity Log data base, the provision of benefits and the provision of occupational health services.

Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd may transfer and store personal data outside the UK where necessary for the provision of IT systems and cloud-based services. Where this occurs, personal data will remain within the United Kingdom or the European Economic Area (EEA) or will be transferred only to jurisdictions recognised by the UK as providing an adequate level of data protection. This may include the use of secure third-party platforms for online forms, data collection, databases, and application hosting.

Appropriate safeguards are in place to ensure that personal data remains protected in accordance with UK GDPR and the Data Protection Act 2018.

### **How does Sapphire gymnastics protect data?**

Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd takes the security of your data seriously. Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. Refer to your staff handbook for more information, our Information Governance Policy and Data Protection Policy.

Access to HR systems is restricted to senior managers and the chief executive and HR assistant. Where Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

This includes ensuring that any third-party IT or cloud service providers used by the organisation meet UK GDPR requirements for data security, confidentiality, and international data transfers.

### **For how long does Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd keep data?**

Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd will hold your personal data for the duration of your employment. The periods for which your data is held after the end of employment are set out relevant retention periods.

### **Your rights**

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;



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- require Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd to change incorrect or incomplete data;
- require Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and
- object to the processing of your data where Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd is relying on its legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights, please contact [annie.price@sapphiregymnastics.co.uk](mailto:annie.price@sapphiregymnastics.co.uk) or phone 01442 230077 and ask to speak to the Club Manager.

If you believe that Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd has not complied with your data protection rights, you can complain to the Information Commissioner.

### **What if you do not provide personal data?**

You have some obligations under your employment contract to provide Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd to enter a contract of employment with you. If you do not provide other information, this will hinder Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

### **Automated decision-making**

Employment decisions are not based solely on automated decision-making.

\*The wording in this document reflects the requirements of the General Data Protection Regulation (UK GDPR), which came into effect in the UK on 25 May 2018.

### **PRIVACY NOTICE FOR OUR MEMBERS**

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 registered to become or are a member of our club. This notice explains how we comply with the law on data protection, what your rights are and for the purposes of data protection we will be the controller of any of your personal information.



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References to we, our or us in this privacy notice are to the Sapphire School of Gymnastics Ltd and Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd CIC Ltd.

We have not appointed a Trustee for Data Protection to oversee our compliance with data protection laws as we not required to do so, but our Club Manager has overall responsibility for data protection compliance in our organisation. 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**

Depending on the type of membership you register for with us, 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, email addresses and telephone numbers;
- date of birth;
- gender;
- membership start and end date;
- references and other information included in a CV or cover letter or as part of the application process for membership;
- records of your interactions with us such as telephone conversations, emails and other correspondence and your instructions to us;
- records of your attendance at any events hosted by us;
- CCTV footage and other information obtained through electronic means;
- images in video and/or photographic form and voice recordings;
- your marketing preferences so that we know whether and how we should contact you.
- identification documents such as passport and identity cards;
- details of any county membership;
- details of next of kin, family members, coaches and emergency contacts;
- records and assessment of any gymnast, grading or ratings, competition results, details regarding events attended and performance (including that generated through gymnast pathway programme);
- any disciplinary and grievance information;

## **2. SPECIAL CATEGORIES OF PERSONAL INFORMATION**

We will NOT collect, store and use the following "special categories" of more sensitive personal information regarding you:

- information about your race or ethnicity, religious beliefs and sexual orientation;
- information about your health, including any medical condition, health and sickness records, medical records and health professional information; and





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- biometric information about you, for example fingerprints, retina scans.

### **3. WHERE WE COLLECT YOUR INFORMATION**

We typically collect personal information about our members when you apply to become a member of the club, you complete an enrolment form with us at [www.sapphiregymnastics.co.uk](http://www.sapphiregymnastics.co.uk). We also collect data when you purchase any services or products we offer, when you make a query and/or complaint or when you correspond with us by phone, e-mail or in some other way.

We also may collect personal information about you from any third party references you provide as part of the application process for membership.

If you are providing us with details of referees, next of kin, beneficiaries, family members and emergency contacts they have a right to know and to be aware of how 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 OF YOUR PERSONAL INFORMATION**

This section sets out the purposes for which we process your personal data, the categories of data involved, and the lawful basis on which we do so, in accordance with the UK GDPR and the Data Protection Act 2018.

#### **1. Membership Administration and Relationship Management**

We process your contact and membership details, your interactions with us, and your marketing preferences in order to:

- Administer your membership.
- Manage our relationship with you.
- Process membership fees.
- Respond to service, product, or support enquiries.

**Lawful basis:** Processing is necessary for the performance of a contract (Article 6(1)(b)).

#### **2. Service and Product Provision**

We process your contact and transaction details, along with records of interactions, to arrange and fulfil any agreements relating to the provision of goods or services.

**Lawful basis:** Contractual necessity (Article 6(1)(b)).

#### **3. Membership Benefits and Communications**

We use your contact and membership information to provide benefits associated with your membership, including:

- Event updates.



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- Early ticket access.
- Competitions and discounts.
- Gymnastics-related news.

**Lawful basis:** Contractual necessity (Article 6(1)(b)).

#### 4. Direct Marketing

Where you have opted in, we send promotional communications, including:

- Newsletters.
- Information on membership, events, products, and offers.
- Information from commercial partners.

**Lawful basis:** Consent (Article 6(1)(a)). You may withdraw your consent at any time.

#### 5. Handling Enquiries and Complaints

We use your contact information and records of communications to manage queries and complaints.

**Lawful basis:** Legitimate interests (Article 6(1)(f))—to ensure effective service and dispute resolution.

#### 6. Retention of Records

We retain your personal data for purposes including:

- Legal claims and regulatory compliance.
- Membership administration.

**Lawful basis:** Legitimate interests (Article 6(1)(f)). Legal obligation where applicable (Article 6(1)(c)).

#### 7. IT System Security

We process data on your use of our IT systems and online portals to ensure cybersecurity.

**Lawful basis:** Legitimate interests (Article 6(1)(f))—to ensure the integrity and security of systems.

#### 8. Data Analytics and Research

We analyse attendance and participation data to evaluate event engagement and trends in the sport.

**Lawful basis:** Legitimate interests (Article 6(1)(f)).

#### 9. Promotional Content (Media)

We may use photographic and video images for promotional purposes.





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**Lawful basis:** Consent (Article 6(1)(a)).

## 10. Health and Safety Compliance

We use data such as attendance records, CCTV footage, and health information to ensure the safety of members and visitors.

**Lawful basis:** Legal obligation (Article 6(1)(c)). Legitimate interests (Article 6(1)(f)).

**Special category data:** Necessary for the purposes of health and safety (Article 9(2)(b), (g), and (h)).

## 11. Course and Programme Administration

We process membership and contact information, including performance data, to manage participation in our programmes or courses.

**Lawful basis:** Contractual necessity (Article 6(1)(b)).

## 12. Event Travel and Transport

We process identification, emergency contact, and payment data to organise travel for events.

**Lawful basis:** Contractual necessity (Article 6(1)(b)).

**Special category data:** Consent or necessary for travel arrangements (Article 9(2)(a), (h)).

## 13. Health Data for Participation Assessment

We process health data to:

- Monitor your fitness for participation.
- Provide appropriate adjustments.

**Special category data:** Processed in accordance with Article 9(2)(h)—for preventative or occupational health purposes.

## 14. Disciplinary and Grievance Procedures

We use all relevant personal data to conduct investigations, hearings, and appeals.

**Lawful basis:** Legitimate interests (Article 6(1)(f)).

**Special category data:** Article 9(2)(f)—legal claims or judicial acts.

## 15. Equal Opportunities Monitoring

We collect data such as gender, ethnicity, and health to ensure fair access and promote inclusivity.

**Lawful basis:** Legitimate interests (Article 6(1)(f)).



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**Special category data:** Article 9(2)(g)—for reasons of substantial public interest.

## 16. Safeguarding and Legal Compliance

We may process information on criminal convictions to comply with safeguarding laws, particularly for individuals working with children or vulnerable adults.

**Lawful basis:** Legal obligation (Article 6(1)(c)).

**Criminal offences data:** Processed under Schedule 1 of the Data Protection Act 2018.

## Your Rights and Obligations

In some instances, you are legally or contractually required to provide us with personal information. Without it, we may be unable to:

- Register you as a member.
- Provide services or benefits.
- Meet our legal obligations.

In other cases, the provision of personal data is voluntary, but failure to provide it may limit our ability to deliver certain services.

If we rely on your consent, you may withdraw it at any time by contacting us using the details in the “Contacting Us” section of our Privacy Policy.

*Please note:* Withdrawal of consent does not affect the lawfulness of prior processing. We may still retain and process your data where permitted by other lawful bases.

## 5. DIRECT MARKETING

Email, post and SMS marketing: from time to time, we may contact you by email, post or SMS with information about products and services we believe you may be interested in.

We will only send marketing messages to you in accordance with the marketing preferences you set. You can then let us know at any time that you do not wish to receive marketing messages by emailing us at [contact@sapphiregymnastics.co.uk](mailto:contact@sapphiregymnastics.co.uk). You can also unsubscribe from our marketing by clicking on the unsubscribe link in the marketing messages we send to you.

## 6. DISCLOSURE OF YOUR PERSONAL INFORMATION

**We share personal information with the following parties:**

- Any party approved by you.
- To any governing bodies or regional bodies for the sports covered by our club: to allow them to properly administer the sports on a local, regional and national level.
- Other service providers: for example, email marketing specialists, payment processors, data analysis CCTV contractors, promotional advisors, contractors or



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suppliers and IT services (including CRM, website, video- and teleconference services);

- Our Commercial Partners: for the purposes of providing, you with information on any tickets, special offers, opportunities, products and services and other commercial benefits provided by our commercial partners as part of your membership package.
- 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 may be transferred to and stored outside of the UK where required for the provision of our services, including the use of secure cloud-based IT systems and databases.

This includes the use of secure third-party platforms for online forms, membership applications, and data collection hosted within the European Economic Area (EEA).

Where personal data is transferred outside the UK, it will normally remain within the European Economic Area (EEA) or in countries recognised by the UK Government as providing an adequate level of protection for personal data.

We will take all reasonable steps to ensure that appropriate technical and organisational safeguards are in place so that your personal information is protected in accordance with this privacy notice and applicable data protection laws. For further details please contact us by using the details set out in the "Contacting us" section below.

## **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:

- CCTV records which are held for no more than 30 days unless we need to preserve the records for the purpose of prevention and detection of crime;
- Details regarding unsuccessful membership applicants where we hold records for a period of not more than 12 months;
- Information that may be relevant to personal injury or discrimination claims may be retained until the limitation period for those types of claims has expired. For personal



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injury or discrimination claims this can be an extended period as the 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. 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, this is a very complex area of law. 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 you can also complain to the UK Information Commissioner's Office or your local data protection



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regulator. We are here to help and encourage you to contact us to resolve your complaint first.

## **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 or complaint in connection with the information we hold about you, please email [contact@sapphiregymnastics.co.uk](mailto:contact@sapphiregymnastics.co.uk) or write to us at Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd, 27 Cheddington Lane, Long Marston, Herts. HP23 4QP

## **Data Protection Policy**

Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd is committed to complying with data protection law and to respecting the privacy rights of individuals. The policy applies to all of our staff, workers, directors, volunteers and consultants ("Workers").

This Data Protection Policy ("Policy") sets out our approach to data protection law and the principles that we will apply to our processing of personal data. The aim of this Policy is to ensure that we process personal data in accordance with the law and with the utmost care and respect.

This Policy applies to all companies in our Group of companies. References in this Policy to "us", "we" and "our" are to Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd. References to "you", "yourself" and "your" are to each Worker to whom this Policy applies.

We recognise that you have an important role to play in achieving these aims. It is your responsibility, therefore, to familiarise yourself with this Policy and to apply and implement its requirements when processing any personal data. Please pay special attention to sections 14, 15 and 16 as these set out the practical day to day actions that you must adhere to when working or volunteering for the club.

Data protection law is a complex area. This Policy has been designed to ensure that you are aware of the legal requirements imposed on you and on us and to give you practical guidance on how to comply with them. This Policy also sets out the consequences of failing to comply with these legal requirements. However, this Policy is not an exhaustive statement of data protection law nor of our or your responsibilities in relation to data protection.

If at any time you have any queries on this Policy, your responsibilities or any aspect of data protection law, seek advice. Contact your line manager Annie Price – Club Manager

### **1. Who is responsible for data protection?**



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1.1 All our Workers are responsible for data protection, and each person has their role to play to make sure that we are compliant with data protection laws.

1.2 We are not legally required to appoint a Data Protection Officer. Responsibility for data protection compliance within the organisation sits with the Club Manager, who oversees compliance with UK data protection laws and this Policy.

## **2. Why do we have a data protection policy?**

2.1 We recognise that processing of individuals' personal data in a careful and respectful manner cultivates trusting relationships with those individuals and trust in our brand. We believe that such relationships will enable our organisation to work more effectively with and to provide a better service to those individuals.

2.2 This Policy works in conjunction with other policies implemented by us from time to time, including for example the Data Breach Policy, Destruction and Archiving Policy and any other policies we implement from time to time.

## **3. Status of this Policy and the implications of breach.**

3.1 Any breaches of this Policy will be viewed very seriously. All Workers must read this Policy carefully and make sure they are familiar with it. Breaching this Policy is a disciplinary offence and will be dealt with under our Disciplinary Procedure.

3.2 If you do not comply with Data Protection Laws and/or this Policy, then you are encouraged to report this fact immediately to the Club Manager. This self-reporting will be taken into account in assessing how to deal with any breach, including any non-compliance which may pre-date this Policy coming into force.

3.3 Also if you are aware of or believe that any other representative of ours is not complying with Data Protection Laws and/or this Policy you should report it in confidence to the Club Manager. Our Whistleblowing Procedure will apply in these circumstances and you may choose to report any non-compliance or breach through our confidential whistleblowing reporting facility.

## **4. Other consequences**

4.1 There are a number of serious consequences for both yourself and us if we do not comply with Data Protection Laws. These include:

4.1.1 For you:

4.1.1.1 Disciplinary action: If you are an employee, your terms and conditions of employment require you to comply with our policies. Failure to do so could lead to disciplinary action including dismissal. Where you are a volunteer, failure to comply with our policies could lead to termination of your volunteering position with us.

4.1.1.2 Criminal sanctions: Serious breaches could potentially result in criminal liability.

4.1.1.3 Investigations and interviews: Your actions could be investigated and you could be interviewed in relation to any non-compliance.





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#### 4.1.2 For the organisation:

4.1.2.1 Criminal sanctions: Non-compliance could involve a criminal offence.

4.1.2.2 Civil Fines: These can be up to Euro 20 million or 4% of group worldwide turnover whichever is higher.

4.1.2.3 Assessments, investigations and enforcement action: We could be assessed or investigated by, and obliged to provide information to, the Information Commissioner on its processes and procedures and/or subject to the Information Commissioner's powers of entry, inspection and seizure causing disruption and embarrassment.

4.1.2.4 Court orders: These may require us to implement measures or take steps in relation to, or cease or refrain from, processing personal data.

4.1.2.5 Claims for compensation: Individuals may make claims for damage they have suffered as a result of our non-compliance.

4.1.2.6 Bad publicity: Assessments, investigations and enforcement action by, and complaints to, the Information

Commissioner quickly become public knowledge and might damage our brand. Court proceedings are public knowledge.

4.1.2.7 Loss of business: Prospective members, participants, players, customers, suppliers and contractors might not want to deal with us if we are viewed as careless with personal data and disregarding our legal obligations.

4.1.2.8 Use of management time and resources: Dealing with assessments, investigations, enforcement action, complaints, claims, etc takes time and effort and can involve considerable cost.

## 5. Data protection laws

5.1 The Data Protection Act 1998 ("DPA") applies to any personal data that we process, and from 25th May 2018 this will be replaced by the General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 ("DPA 2018") (together "Data Protection Laws") and then after Brexit the UK will adopt laws equivalent to these Data Protection Laws.

Note: Since 1 January 2021, the UK has adopted the UK GDPR and incorporated EU GDPR provisions into domestic law via the Data Protection Act 2018.

5.2 This Policy is written as though UK GDPR and the DPA 2018 are both in force, i.e. it states the position as from 25th May 2018.

Note: Since 1 January 2021, the UK has adopted the UK GDPR and incorporated EU GDPR provisions into domestic law via the Data Protection Act 2018.

5.3 The Data Protection Laws all require that the personal data is processed in accordance with the Data Protection Principles (on which see below) and gives individuals rights to access, correct and control how we use their personal data (on which see below).



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## 6. Key words in relation to data protection

6.1 Personal data is data that relates to a living individual who can be identified from that data (or from that data and other information in or likely to come into our possession). That living individual might be an employee, customer, prospective customer, supplier, contractor or contact, and that personal data might be written, oral or visual (e.g. CCTV).

6.2 Identifiable means that the individual can be distinguished from a group of individuals (although the name of that individual need not be ascertainable). The data might identify an individual on its own (e.g. if a name or video footage) or might do if taken together with other information available to or obtainable us (e.g. a job title and company name).

6.3 Data subject is the living individual to whom the relevant personal data relates.

6.4 Processing is widely defined under data protection law and generally any action taken by us in respect of personal data will fall under the definition, including for example collection, modification, transfer, viewing, deleting, holding, backing up, archiving, retention, disclosure or destruction of personal data, including CCTV images.

6.5 Data controller is the person who decides how personal data is used, for example we will always be a data controller in respect of personal data relating to our employees.

6.6 Data processor is a person who processes personal data on behalf of a data controller and only processes that personal data in accordance with instructions from the data controller, for example an outsourced payroll provider will be a data processor.

## 7. Personal data

7.1 Data will relate to an individual and therefore be their personal data if it:

7.1.1 identifies the individual. For instance, names, addresses, telephone numbers and email addresses;

7.1.2 its content is about the individual personally. For instance, medical records, credit history, a recording of their actions, or contact details;

7.1.3 relates to property of the individual, for example their home, their car or other possessions;

7.1.4 it could be processed to learn, record or decide something about the individual (or this is a consequence of processing). For instance, if you are able to link the data to the individual to tell you something about them, this will relate to the individual (e.g. salary details for a post where there is only one named individual in that post, or a telephone bill for the occupier of a property where there is only one occupant);

7.1.5 is biographical in a significant sense, that is it does more than record the individual's connection with or involvement in a matter or event which has no personal connotations for them. For instance, if an individual's name appears on a list of attendees of an organisation meeting this may not relate to the individual and may be more likely to relate to the company they represent;



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7.1.6 has the individual as its focus, that is the information relates to the individual personally rather than to some other person or a transaction or event he was involved in. For instance, if a work meeting is to discuss the individual's performance this is likely to relate to the individual;

7.1.7 affects the individual's privacy, whether in their personal, family, organisation or professional capacity, for instance, email address or location and work email addresses can also be personal data;

7.1.8 is an expression of opinion about the individual; or

7.1.9 is an indication of our (or any other person's) intentions towards the individual (e.g. how a complaint by that individual will be dealt with).

7.2 Information about companies or other legal persons who are not living individuals is not personal data. However, information about directors, shareholders, officers and employees, and about sole traders or partners, is often personal data, so business related information can often be personal data.

7.3 Examples of information likely to constitute personal data:

7.3.1 Unique names;

7.3.2 Names together with email addresses or other contact details;

7.3.3 Job title and employer (if there is only one person in the position);

7.3.4 Video - and photographic images;

7.3.5 Information about individuals obtained as a result of Safeguarding checks;

7.3.6 Medical and disability information;

7.3.7 CCTV images;

7.3.8 Member profile information (e.g. marketing preferences); and

7.3.9 Financial information and accounts (e.g. information about expenses and benefits entitlements, income and expenditure).

8. Lawful basis for processing

8.1 For personal data to be processed lawfully, we must be processing it on one of the legal grounds set out in the Data Protection Laws.

8.2 For the processing of ordinary personal data in our organisation these may include, among other things:

8.2.1 the data subject has given their consent to the processing (perhaps on their membership application form or when they registered on the club's website)



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8.2.2 the processing is necessary for the performance of a contract with the data subject (for example, for processing membership subscriptions);

8.2.3 the processing is necessary for compliance with a legal obligation to which the data controller is subject (such as reporting employee PAYE deductions to the tax authorities); or

8.2.4 the processing is necessary for the legitimate interest reasons of the data controller or a third party (for example, keeping in touch with members, players, participants about competition dates, upcoming fixtures or access to club facilities).

## 9. Special category data

9.1 Special category data under the Data Protection Laws is personal data relating to an individual's race, political opinions, health, religious or other beliefs, trade union records, sex life, biometric data and genetic data.

9.2 Under Data Protection Laws this type of information is known as special category data and criminal records history becomes its own special category which is treated for some parts the same as special category data. Previously these types of personal data were referred to as sensitive personal data and some people may continue to use this term.

9.3 To lawfully process special categories of personal data we must also ensure that either the individual has given their explicit consent to the processing or that another of the following conditions has been met:

9.3.1 the processing is necessary for the performance of our obligations under employment law;

9.3.2 the processing is necessary to protect the vital interests of the data subject. The ICO has previously indicated that this condition is unlikely to be met other than in a life or death or other extreme situation;

9.3.3 the processing relates to information manifestly made public by the data subject;

9.3.4 the processing is necessary for the purpose of establishing, exercising or defending legal claims; or

9.3.5 the processing is necessary for the purpose of preventative or occupational medicine or for the assessment of the working capacity of the employee.

9.4 To lawfully process personal data relating to criminal records and history there are even more limited reasons, and we must either:

9.4.1 ensure that either the individual has given their explicit consent to the processing; or

9.4.2 ensure that our processing of those criminal records history is necessary under a legal requirement imposed upon us.

9.5 We would normally only expect to process special category personal data or criminal records history data usually in a Human Resources context and also in the context of our



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members/athletes/coaches/volunteers etc. for monitoring performance, drug and alcohol testing, health and safety requirements, safeguarding checks, etc.

#### 9.6 When do we process personal data?

9.7 Virtually anything we do with personal data is processing including collection, modification, transfer, viewing, deleting, holding, backing up, archiving, retention, disclosure or destruction. So even just storage of personal data is a form of processing. We might process personal data using computers or manually by keeping paper records.

#### 9.8 Examples of processing personal data might include:

9.8.1 Using personal data to correspond with members;

9.8.2 Holding personal data in our databases or documents; and

9.8.3 Recording personal data in personnel or member files.

### 10. Outline

#### 10.1 The main themes of the Data Protection Laws are:

10.1.1 good practices for handling personal data;

10.1.2 rights for individuals in respect of personal data that data controllers hold on them; and

10.1.3 being able to demonstrate compliance with these laws.

#### 10.2 In summary, data protection law requires each data controller to:

10.2.1 only process personal data for certain purposes;

10.2.2 process personal data in accordance with the 6 principles of 'good information handling' (including keeping personal data secure and processing it fairly and in a transparent manner);

10.2.3 provide certain information to those individuals about whom we process personal data which is usually provided in a privacy notice, for example you will have received one of these from us as one of our Workers;

10.2.4 respect the rights of those individuals about whom we process personal data (including providing them with access to the personal data we hold on them); and

10.2.5 keep adequate records of how data is processed and, where necessary, notify the ICO and possibly data subjects where there has been a data breach.

10.3 Every Worker has an important role to play in achieving these aims. It is your responsibility, therefore, to familiarise yourself with this Policy.

10.4 Data protection law in the UK is enforced by the Information Commissioner's Office ("ICO"). The ICO has extensive powers.

### 11. Data protection principles



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11.1 The Data Protection Laws set out 6 principles for maintaining and protecting personal data, which form the basis of the legislation. All personal data must be:

11.1.1 processed lawfully, fairly and in a transparent manner and only if certain specified conditions are met;

11.1.2 collected for specific, explicit and legitimate purposes, and not processed in any way incompatible with those purposes ("purpose limitation");

11.1.3 adequate and relevant, and limited to what is necessary to the purposes for which it is processed ("data minimisation");

11.1.4 accurate and where necessary kept up to date;

11.1.5 kept for no longer than is necessary for the purpose ("storage limitation");

11.1.6 processed in a manner that ensures appropriate security of the personal data using appropriate technical and organisational measures ("integrity and security").

## **12. Data subject rights**

12.1 Under Data Protection Laws individuals have certain rights (Rights) in relation to their own personal data. In summary these are:

12.1.1 The rights to access their personal data, usually referred to as a subject access request

12.1.2 The right to have their personal data rectified;

12.1.3 The right to have their personal data erased, usually referred to as the right to be forgotten;

12.1.4 The right to restrict processing of their personal data;

12.1.5 The right to object to receiving direct marketing materials;

12.1.6 The right to portability of their personal data;

12.1.7 The right to object to processing of their personal data; and

12.1.8 The right to not be subject to a decision made solely by automated data processing.

12.2 The exercise of these Rights may be made in writing, including email, and also verbally and should be responded to in writing by us (if we are the relevant data controller) without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests. We must inform the individual of any such extension within one month of receipt of the request, together with the reasons for the delay.

12.3 Where the data subject makes the request by electronic form means, any information is to be provided by electronic means where possible, unless otherwise requested by the individual.





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12.4 If we receive the request from a third party (e.g. a legal advisor), we must take steps to verify that the request was, in fact, instigated by the individual and that the third party is properly authorised to make the request. This will usually mean contacting the relevant individual directly to verify that the third party is properly authorised to make the request.

12.5 There are very specific exemptions or partial exemptions for some of these Rights and not all of them are absolute rights. However the right to not receive marketing material is an absolute right, so this should be complied with immediately.

12.6 Where an individual considers that we have not complied with their request e.g. exceeded the time period, they can seek a court order and compensation. If the court agrees with the individual, it will issue a Court Order, to make us comply. The Court can also award compensation. They can also complain to the regulator for privacy legislation, which in our case will usually be the ICO.

12.7 In addition to the rights discussed in this document, any person may ask the ICO to assess whether it is likely that any processing of personal data has or is being carried out in compliance with the privacy legislation. The ICO must investigate and may serve an "Information Notice" on us (if we are the relevant data controller). The result of the investigation may lead to an "Enforcement Notice" being issued by the ICO. Any such assessments, information notices or enforcement notices should be sent directly to our Club Manager from the ICO.

12.8 In the event of a Worker receiving such a notice, they must immediately pass the communication to our Club Manager

### **13. Notification and response procedure**

13.1 If a Worker has a request or believes they have a request for the exercise of a Right, they should:

13.1.1 pass the call to their supervisor/manager. The supervisor/manager should take and record all relevant details and explain the procedure. If possible try to get the request confirmed in writing addressed to our Club Manager; and

13.1.2 inform our Club Manager of the request.

13.2 If a letter or fax exercising a Right is received by any Worker they should:

13.2.1 pass the letter to their supervisor/manager;

13.2.2 the supervisor/manager must log the receipt of the letter with our Club Manager and send a copy of it to them; and

13.2.3 our Club Manager will then respond to the data subject on our behalf.

13.3 If an email exercising a Rights is received by any Worker they should:

13.3.1 pass the email to their supervisor/manager;

13.3.2 the Supervisor/manager must log the receipt of the email with our Club Manager and send a copy of it to them; and



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13.3.3 our Club Manager will then respond to the data subject on our behalf.

13.4 Our Club Manager will co-ordinate our response [which may include written material provided by our external legal advisor]. The action taken will depend upon the nature of the request. The Club Manager will write to the individual and explain the legal situation and whether we will comply with the request. A standard letter/email from the Club Manager should suffice in most cases.

13.5 The Club Manager will inform the relevant management line of any action that must be taken to legally comply. The Club Manager will co-ordinate any additional activity required by the IT Department to meet the request.

13.6 The manager/senior manager who receives the request will be responsible for ensuring that the relevant response is made within the time period required.

13.7 The Club Manager's reply will be validated by the relevant manager of the department producing the response. For more complex cases, the letter/email to be sent will be checked by [legal advisors].

## **14. Your main obligations**

14.1 What this all means for you can be summarised as follows:

14.1.1 Treat all personal data with respect;

14.1.2 Treat all personal data how you would want your own personal data to be treated;

14.1.3 Immediately notify your line manager or the Club Manager if any individual says or does anything which gives the appearance of them wanting to invoke any rights in relation to personal data relating to them;

14.1.4 Take care with all personal data and items containing personal data you handle or come across so that it stays secure and is only available to or accessed by authorised individuals; and

14.1.5 Immediately notify the Club Manager if you become aware of or suspect the loss of any personal data or any item containing personal data. For more details on this see our separate Data Breach Policy which applies to all our Workers regardless of their position or role in our organisation.

## **15. Your activities**

15.1 Data protection laws have different implications in different areas of our organisation and for different types of activity, and sometimes these effects can be unexpected.

15.2 Areas and activities particularly affected by data protection law include human resources, payroll, security (e.g. CCTV), customer care, sales, marketing and promotions, health and safety and finance.



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15.3 You must consider what personal data you might handle, consider carefully what data protection law might mean for you and your activities, and ensure that you comply at all times with this policy.

## **16. Practical matters**

16.1 Whilst you should always apply a common sense approach to how you use and safeguard personal data, and treat personal data with care and respect, set out below are some examples of dos and don'ts:

16.1.1 Do not take personal data out of the organisation's premises (unless absolutely necessary).

16.1.2 Only disclose your unique logins and passwords for any of our IT systems to authorised personnel (e.g. IT) and not to anyone else.

16.1.3 Never leave any items containing personal data unattended in a public place, e.g. on a train, in a café, etc and this would include paper files, mobile phone, laptops, tablets, memory sticks etc.

16.1.4 Never leave any items containing personal data in unsecure locations, e.g. in car on your drive overnight and this would include paper files, mobile phone, laptops, tablets, memory sticks etc.

16.1.5 If you are staying at a hotel then utilise the room safe or the hotel staff to store items containing personal data when you do not need to have them with you.

16.1.6 Do encrypt laptops, mobile devices and removable storage devices containing personal data.

16.1.7 Do lock laptops, files, mobile devices and removable storage devices containing personal data away and out of sight when not in use.

16.1.8 Do password protect documents and databases containing personal data.

16.1.9 Never use removable storage media to store personal data unless the personal data on the media is encrypted.

16.1.10 When picking up printing from any shared printer always check to make sure you only have the printed matter that you expect, and no third party's printing appears in the printing.

16.1.11 Use confidential waste disposal for any papers containing personal data, do not place these into the ordinary waste, place them in a bin or skip etc, and either use a confidential waste service or have them shredded before placing them in the ordinary waste disposal.

16.1.12 Do dispose of any materials containing personal data securely, whether the materials are paper based or electronic.



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16.1.13 When in public place, e.g. a train or café, be careful as to who might be able to see the information on the screen of any device you are using when you have personal information on display. If necessary move location or change to a different task.

16.1.14 Do ensure that your screen faces away from prying eyes if you are processing personal data, even if you are working in the office. Personal data should only be accessed and seen by those who need to see it.

16.1.15 Do challenge unexpected visitors or employees accessing personal data.

16.1.16 Do not leave personal data lying around, store it securely.

16.1.17 When speaking on the phone in a public place, take care not to use the full names of individuals or other identifying information, as you do not know who may overhear the conversation. Instead use initials or just first names to preserve confidentiality.

16.1.18 If taking down details or instructions from a customer in a public place when third parties may overhear, try to limit the information which may identify that person to others who may overhear in a similar way to if you were speaking on the telephone.

16.1.19 Never act on instructions from someone unless you are absolutely sure of their identity and if you are unsure then take steps to determine their identity. This is particularly so where the instructions relate to information which may be sensitive or damaging if it got into the hands of a third party or where the instructions involve money, valuable goods or items or cannot easily be reversed.

16.1.20 Do not transfer personal data to any third party without prior written consent of your line manager or our Club Manager

16.1.21 Do notify your line manager or our Club Manager immediately of any suspected security breaches or loss of personal data.

16.1.22 If any personal data is lost, or any devices or materials containing any personal data are lost, report it immediately to our Club Manager For more details on this see our separate Data Breach Policy which applies to all our Workers regardless of their position or role in our organisation.

16.2 However you should always take a common sense approach, and if you see any areas of risk that you think are not addressed then please bring it to the attention of our Club Manager

## **17. Foreign transfers of personal data**

17.1 Personal data must not be transferred outside the UK unless the destination country or territory ensures an adequate level of protection for the rights of data subjects in accordance with UK data protection laws, or appropriate safeguards are put in place.



FACILITY 1  
HEMEL HEMPSTEAD SPORTS CENTRE | PARK ROAD | HERTS | HP1 1JS  
01442 230077 OPTION 1 | ADMIN.SC@SAPPHIREGYMNASTICS.CO.UK

FACILITY 2  
8 HARVINGTON PARK | TUNNEL WAY | PITSTONE | BUCKS | LU7 9GQ  
01442 230077 OPTION 2 | ADMIN.PITSTONE@SAPPHIREGYMNASTICS.CO.UK  
WWW.SAPPHIREGYMNASTICS.CO.UK

17.2 This includes the use of cloud-based services and IT infrastructure hosted within the European Economic Area (EEA), such as database hosting, application hosting, and managed IT service providers including online form and data collection platforms.

17.3 Where such transfers occur, Sapphire Gymnastics CIC and Sapphire School of Gymnastics Ltd will ensure that personal data is processed only in jurisdictions recognised as adequate by the UK, and that contractual and technical safeguards are implemented as required.

17.4 Workers must not initiate or approve any new processing of personal data involving transfers outside the UK or EEA without prior written approval from the Club Manager.

17.5 We will also need to inform data subjects of any transfer of their personal data outside of the UK and may need to amend their privacy notice to take account of the transfer of data outside of the EEA.

17.6 If you are involved in any new processing of personal data which may involve transfer of personal data outside of the EEA, then please seek approval of your line manager or our Club Manager prior to implementing any processing of personal data which may have this effect.

## **18. Queries**

18.1 If you have any queries about this Policy please contact either your line manager or the Club Manager