



## **Employee General Data Protection Policy**

# **PORTSMOUTH COMMUNITY FOOTBALL CLUB**

Version 1.1

February 2023

**Prepared by**

Name	Department/Role	Date
Darren Parker	Head of IT systems	08/11/2022

**Reviewed by**

*(this policy is reviewed every three years (or as necessary) and PFC reserves the right to update or amended it at any time. Any amendments made will be notified to members of staff).*

Name	Department/Role	Date
Darren Parker	Head of IT systems	10/02/2023
Lina Small	Head of People and EDI	26/03/2024

**Approved by**

Name	Department/Role	Date
Darren Parker	Head of IT systems	10/02/2023

**Changes**

Name	Department/Role	Version	Date
Darren Parker	DPO	1.0	10/02/2023
Darren Parker	DPO	1.1	28/12/2023

This policy is intended to fully comply with Data Protection legislation. However, if any conflict arises between the Data Protection legislation and this policy, Data Protection legislation will supersede this policy.

This policy will also be made available on request to the ICO.

## Table of Contents

Purpose .....	4
Support with Data Protection .....	4
Data Protection Office .....	4
HR.....	4
Definitions .....	4
Personal data .....	4
Special categories of personal data .....	4
Criminal records data.....	4
Data protection principles .....	5
Individual Rights.....	6
Subject access requests .....	6
Other rights .....	6
Data security .....	6
Impact assessments .....	6
Data breaches .....	7
International data transfers.....	7
Individual responsibilities .....	7
Training .....	7
Staff data processing.....	8
Recruitment stage.....	8
Within employment.....	8
Left employment.....	9
Retention of data relating to members of staff.....	10

## Purpose

Portsmouth Community Football Club Limited (PFC) is committed to being transparent about how it collects and uses the personal data of its workforce, and to meeting its data protection obligations. This policy sets out the organisation's commitment to data protection, and individual rights and obligations in relation to personal data.

This policy applies to the personal data of job applicants, employees (including workers, contractors, volunteers, interns and apprentices) and former employees, and is referred to as HR related personal data.

PFC has appointed Darren Parker as its Data Protection Officer. Their role is to inform and advise the organisation on its data protection obligations. They can be contacted at [dpo@pompeyfc.co.uk](mailto:dpo@pompeyfc.co.uk)

Questions about this policy, or requests for further information, should be directed to the Data Protection Officer.

## Support with Data Protection

PFC has multiples sources of support for data protection. These are listed below for your reference:

### Data Protection Office

<b>Data Protection officer</b>	Darren Parker
<b>Email</b>	<a href="mailto:darrenparker@pompeyfc.co.uk">darrenparker@pompeyfc.co.uk</a>
<b>Postal Address</b>	Fratton Park, Frogmore Road, Portsmouth, Hampshire, PO4 8RA

### HR

<b>Head of People and EDI</b>	Lina Small
<b>Email</b>	<a href="mailto:HR@pompeyfc.co.uk">HR@pompeyfc.co.uk</a>
<b>Postal Address</b>	Fratton Park, Frogmore Road, Portsmouth, Hampshire, PO4 8RA

You have the right to make an internal complaint that this policy being or has not been followed, you can also raise this as a formal grievance under the PFC grievance procedure.

## Definitions

### Personal data

Is any information that relates to a living individual who can be identified from that information. "Processing" is defined as any use that is made of data, including collecting, storing, amending, disclosing or destroying it.

### Special categories of personal data

Means information about an individuals racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and genetic and biometric data.

### Criminal records data

Means information about an individual's criminal convictions and offences and information relating to criminal allegations and proceedings.

## Data subjects

Data subject refers to any individual person who can be identified, directly or indirectly, via an identifier such as a name, an ID number, location data, or via factors specific to the person's physical, physiological, genetic, mental, economic, cultural or social identity.

## Processing activities

“Processing” means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means

## Data protection principles

PFC processes HR related personal data in accordance with ICO and UK GDPR (article 5) seven key principles:

1. Processed lawfully, fairly and in a transparent manner in relation to individuals ('lawfulness, fairness and transparency')
2. Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes ('purpose limitation')
3. Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation')
4. Accurate and where necessary, kept up to date; every reasonable step must be taken to ensure that are inaccurate, having regard to the purposes for which they are processed, are erased, or rectified without delay ('accuracy')
5. Keeps personal data only for the period necessary for processing ('storage limitation')
6. Appropriate measures to make sure that personal data is secure and protected against unauthorised or unlawful processing and accidental loss, destruction, or damage ('integrity and confidentiality')

PFC informs individuals of the reasons for processing their personal data, how it uses such data and the legal basis for processing in its privacy notices. It will not process personal data of individuals for other reasons. If PFC wants to start processing HR-related data for other reasons, individuals will be informed of this before any processing begins.

HR-related data will not be shared with third parties, except as set out in privacy notices. Where PFC relies on its legitimate interests as the basis for processing data, it will carry out an assessment to ensure that those interests are not overridden by the rights and freedoms of individuals.

Where PFC processes special categories of personal data or criminal records data to perform obligations, to exercise rights in employment law, or for reasons of substantial public interest, this is done in accordance with a policy “Employee processing special categories of data and criminal records data”.

PFC will update HR-related personal data promptly if an individual advises that their information has changed or is inaccurate.

Personal data gathered during the employment, worker, contractor or volunteer relationship or apprenticeship or internship is held in the individuals personnel file (in hard copy or electronic format, or both), and on HR systems. The periods for which the organisation holds HR-related personal data are contained in its privacy notices.

The organisation keeps a record of its processing activities in respect of HR-related personal data in accordance with the requirements of the UK GDPR.

## Individual Rights

As a data subject, individuals have a number of rights in relation to their personal data, including:

### Subject access requests

Individuals have the right to make a subject access request. If an individual makes a subject access request, PFC will tell them:

- Whether their data is processed and if so why, the categories of personal data concerned and the source of the data if it is not collected from the individual
- To whom their data is or may be disclosed, including the recipients located outside the UK and safeguards that apply to such transfers
- For how long their personal data is stored (or how that period is decided)
- Their rights to rectification or erasure of data, or to restrict or object to processing
- Their right to complain to the Information Commissioner if they think the organisation has failed to comply with their data protection rights
- Whether PFC carries out automated decision making, and the logic involved in any such decision making

Please refer to the PFC Data subject access request policy for further information.

### Other rights

Individuals have a number of other rights in relation to their personal data. They can require PFC to:

- Rectify inaccurate data
- Stop processing or erase data that is no longer necessary for the purposes of processing
- Stop processing or erase data if the individuals interests override PFCs legitimate grounds for processing data (where PFC relies on legitimate interests as a reason for processing data)
- Stop processing or erase data if processing is unlawful
- Stop processing data for a period if data is inaccurate or if there is a dispute about whether the individuals interests override PFCs legitimate grounds for processing data

To ask PFC to take any of these steps, the individual should the request to [dpo@pompeyfc.co.uk](mailto:dpo@pompeyfc.co.uk)

### Data security

PFC takes the security of HR-related personal data seriously. PFC has internal policies and controls in place to protect personal data against loss, accidental destruction, misuse or disclosure, and to ensure that data is not accessed, except by employees in the proper performance of their duties.

### Impact assessments

Some of the processing that the organisation carries out may result in risks to privacy. Where processing would result in a high risk to individual rights to freedoms, PFC will carry out a data protection impact assessment to determine the necessity and proportionality of processing. This will include considering the purposes for which the activity is carried out, the risks for individuals and the measures that can be put in place to mitigate those risks.

## Data breaches

If PFC discovers that there has been a breach of HR-related personal data that poses a risk to the rights and freedoms of individuals, it will report it to the Information Commissioner within 72 hours of discovery. The organisation will record all data breaches regardless of their effect.

If the breach is likely to result in a high risk to the rights and freedoms of individuals, it will tell affected individuals that there has been a breach and provide them with information about its likely consequences and the mitigation measures it has taken.

## International data transfers

HR related personal data would not as standard be transferred outside the UK. However, on occasion this may be necessary to provide Tornante group (Portsmouth FC parent company) access to personal contract related information. Data is transferred outside the UK on the basis of what the ICO class as an adequacy decision and PFC ensure data security through its data security policy.

## Individual responsibilities

Individuals are responsible for helping PFC keep their personal data up to date.

Individuals should let PFC know if data provided changes, for example if any individual moves home or changes bank details.

Individuals may have access to the personal data of other individuals and of our customers and clients in the course of their role. Where this is the case, PFC relies on individuals to help meet its data protection obligations to staff and to customers and clients.

Individuals who have access to personal data are required:

- To access only data that they have authority to access and only for authorised purposes
- Not to disclose data except to individuals (whether inside or outside PFC) who have appropriate authorisation
- To keep data secure, by complying with rules access to premises, computer access, including password protection and to secure file storage and destruction
- Not to remove personal data, or devices containing (or that can be used to access) personal data, from PFC premises without adopting security measures such as encryption or password protection to secure the data and the device
- Not to store personal data on local drives or on personal devices that are used for work purposes
- To report data breaches of which they become aware to [dpo@pompeyfc.co.uk](mailto:dpo@pompeyfc.co.uk) immediately

Further details about PFC security procedures can be found in our Data Security Policy via the club intranet or upon request from HR.

Failing to observe these requirements may amount to a disciplinary offence, which will be dealt with under PFC disciplinary procedure. Significant or deliberate breaches of this policy, such as accessing employee or customer data without authorisation or a legitimate reason to do so, may constitute gross misconduct and could lead to dismissal without notice.

## Training

PFC will provide training to all individuals about their data protection responsibilities as part of the induction process and at regular intervals thereafter.

Individuals whose roles require regular access to personal data, or who are responsible for implementing this policy or responding to subject access requests under this policy, will receive additional training to help them understand their duties and how to comply with them.

## Staff data processing

PFC takes the processing of potential, current and previous staff data very seriously and will always process data collected with due care and attention. PFC will process this data using the policy set out above.

### Data collected

Confirmation of the data collected is set out below for your reference:

#### Recruitment stage

Data Type	Justification	Data format
CV	CV data is collected to identify candidates who are the best fit for the role and have required qualifications and legal status	Paper or Electronic
Application forms	Along with CVs application forms assist with the recruitment stage	Electronic
Interview notes	These are taken during the interview stage and stored only within HR during the interview stage	Paper or Electronic
EDI forms (Equality, Diversity and Inclusion)	All prospective employees are request to fill in their EDI information and used solely by HR	Electronic
Training records	All information related to employee training prior to employment with PFC	Electronic
Right to work	Prospective employee right to work information	Electronic

#### Within employment

Data Type	Justification	Data format
Joiners form	New staff will be asked to complete a joiners form with HR, this includes Name, date of birth, National insurance number, contact details, Next of kin, EDI information, bank details and conviction declaration. Data is retained by HR	Electronic
Contract	Staff contract	Electronic
Medical Information	Staff declared medical information	Electronic
Right to work	Staff members right to work information	Electronic
Reference information	Referee and References provided by staff member	Electronic
Certifications	Any certifications provided by staff member	Electronic
Offer letter	Offer of employment letter provided to the staff member	Electronic
Recruitment stage information	All information within the Recruitment stage shown above	Electronic



Other personal or Medical information	Any additional staff declared such as change of personal contact information, next of kin or medical information	Electronic
Employee relations information	Additional staff information related to employee relations	Electronic
Return to work or absence notes	HR or Line manager return to work or absence notes	Electronic
Training information	Staff member training information	Electronic
Changes to employment	Documented changes to employment such as salary, promotions or responsibility changes	Electronic
Subscriptions, e.g. Gym	Any applicable subscriptions with PFC such as gym membership	Electronic
Payroll	Payroll information including bank details	Electronic
Pay information	Any other pay information such as expenses	Electronic
Resignation letters	Any staff resignation letters/information	Electronic
Exit interview notes	These are taken during the exit interview stage and stored only within HR	Electronic
Special category data		Electronic

#### Left employment

Data Type	Justification	Data format
Employment information	All employee information as defined above will be stored for a period (see retention details below)	Paper or Electronic

## Retention of data relating to applicant data

Data	Retention period	Comments
<b>Recruitment stage only</b>		
CV	30 days	
Application forms	30 days	
Interview notes	30 days	
EDI forms	30 days	
Training records	30 days	
Right to work	30 days	

## Retention of data relating to members of staff

Data	Retention period	Comments
<b>Recruitment stage only</b>		
CV	6 years	
Application forms	6 years	
Interview notes	6 years	
EDI forms	6 years	
Training records	6 years	
Right to work	6 years	
<b>Employee</b>		
All employee staff information is retained during employment. Deleting or interfering with data whilst still employed without consent could amount to a breach.		
<b>Leaver Information</b>		
Joiners form	6 years	
Contractual information	6 years	
Medical information	6 years	
Player Medial information	10 years	

Right to work	6 years	
Reference information	6 years	
Certifications	6 years	
Offer letter	6 years	
Recruitment stage information	6 years	
Other personal or Medical information	6 years	
Player medical information	20 years	
Employee relations information	6 years	
Return to work or absence notes	6 years	
Training information	6 years	
Changes to employment	6 years	
Subscriptions, e.g. Gym	6 years	
Payroll	6 years	
Pay information	6 years	
Resignation letters	6 years	
Exit interview notes	6 years	
Special category data	6 years	