

## Notts County FC GDPR Policy

### 1 Introduction

- 1.1 Notts County Football Club (NCFC) is a data controller. 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 fair processing notice.
- 1.2 All references to NCFC will include any subsidiary companies.
- 1.3 This notice applies to current and former employees, workers and contractors. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.
- 1.4 It is important that you read this notice, together with any other fair processing notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information. We reserve the right to change this notice at any time. Where appropriate, we shall notify you of such changes.
- 1.5 In this Policy, Data Protection Legislation means all applicable legislation which relates to the protection of individuals with regards processing personal data, including the Data Protection Act 2018 and the General Data Protection Regulation (EU) 2016/679.

### 2 Data protection principles

We will comply with Data Protection Legislation. This says that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date
- Kept only as long as necessary for the purposes we have told you about
- Kept securely.



### 3 What kind of personal data do we hold about you?

3.1 Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

3.2 We will collect, store, and use the following categories of personal information about you including:

- Personal contact details such as full name, title, addresses, telephone numbers, and personal email addresses
- Date of birth, gender, marital status, dependants, next of kin and emergency contact information
- National Insurance number, bank account details, payroll records, tax status information, salary, annual leave, pension and benefits information
- Start date and location of employment or workplace
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process)
- Copy of driving licence
- Employment records (including job titles, work history, working hours, training records and professional memberships)
- Compensation history
- Performance, disciplinary and grievance information
- CCTV footage and other information obtained through electronic means such as swipe card records
- Information about your use of our information and communications systems.

### What “special categories” of personal data do we hold about you?

“Special categories” of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may collect, store and use the following special categories of personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions and other protected EDI characteristics
- Information about your health, including any medical condition, health and sickness records.

### 5 What information relating to criminal convictions do we hold about you?



We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions in advance of, and at any time during, your employment with us.

## 6 How is your personal information collected?

We will obtain your personal data in different ways:

- directly from you, for example when you fill out an application or other form.
- during the application and recruitment process, from an employment agency or background check provider, or your former employers; and/or
- from monitoring emails, internet and telephone usage and when we use CCTV systems.

## 7 How do we use your information?

7.1 To summarise, we process your personal data for the following key purposes:

7.1.1 primarily, so that we can fulfil our contractual obligations and legal obligations to you as your employer (for example, to pay you and provide benefits to you) and to exercise our legal rights, and

7.1.2 to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests, or where necessary to protect the interests of you or others (for example, monitoring misuse of our IT systems or tracking our vehicles).

7.2 More detail about how we use your personal data, as well as the categories of personal data involved, is set out in the Appendix.

## 8 How do we use particularly sensitive personal information?

8.1 We may process “special categories” of personal information (as referred to in paragraph 4) in the following circumstances:

8.1.1 In limited circumstances, with your explicit written consent.

8.1.2 Where we need to carry out our legal obligations or exercise rights in connection with employment.



- 8.1.3 Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme.
- 8.2 Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.
- 8.3 More detail about how we use special categories of personal data and information about criminal convictions, as well as the categories of personal data involved, is set out in the Appendix.

## 9 What happens if you fail to provide personal information?

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

## 10 Data sharing

- 10.1 We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.
- 10.2 Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.
- 10.3 For the purposes of paragraph 10.1, "third parties" includes group companies and third-party service providers (including contractors and designated agents). The following activities are carried out by third-party service providers: payroll, pension administration, benefits provision and administration, IT services.

## 11 Transfers outside the EEA

- 11.1 We may need to transfer your personal data outside the UK to other 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 European Economic Area (EEA).

- 11.2 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:
  - 11.2.1 Only transferring personal data to countries which have been deemed to provide an adequate level of protection for personal data by the European Commission
  - 11.2.2 Entering into the "EU model contracts for the transfer of personal data to third countries", which are specific contracts approved by the European Commission which ensures that personal data is afforded the same protection it has in Europe.
  - 11.2.3 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 which is shared between the Europe and the US as it would have in the EEA.

## 12 Data security

- 12.1 We have put in place measures to protect the security of your information. Details of these measures are available upon request.
- 12.2 We limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions, and they are subject to a duty of confidentiality.
- 12.3 We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

## 13 Data retention

We will only retain your personal information 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.



## 14 Your rights

- 14.1 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, please contact NCFC HR Manager, Sarah MacMillan. You will generally not be charged a fee to exercise any of your rights over your personal data.
- 14.1.1 Right to object: You can object to our processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your situation which makes you want to object to processing on this ground.
- 14.1.2 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.
- 14.1.3 Consent: Most of the time, 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. If you have given us your consent to use personal data, you can withdraw your consent at any time.
- 14.1.4 Rectification: You can ask us to change or complete any inaccurate or incomplete personal data held about you.
- 14.1.5 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.
- 14.1.6 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.
- 14.1.7 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.
- 14.1.8 No automated decision making: You have the right not to be subject to automated decisions that will create legal effects or have a similar significant impact on you. We do not currently carry out automated decision-making in the course of you working with us, but we will notify you in advance if this changes.
- 14.2 You can make a complaint to us by contacting us by email to the NCFC HR Department on [hr@nottscountyfc.co.uk](mailto:hr@nottscountyfc.co.uk) or, if you are unsatisfied with our response, to the data protection supervisory authority – in the UK, this is the Information Commissioner's Office, at <https://ico.org.uk>



	Purpose for Processing	Categories of Personal Data	Legal Basis
1.	For the administration of your employment	Full name, date of birth, job title, residential address, email address, telephone number, national insurance number, bank account information, trade union membership.	Performance of a contract and in performance of our obligations and exercise of our rights as your employer
2.	The recruitment and selection process	Full name, date of birth, residential address, email address, telephone number, national insurance number, CV, employment history and background checks.	Pursuance of our legitimate interests.
3.	Checking you are legally entitled to work in the UK	Full name, date of birth, passport number.	Compliance with legal obligations.
4.	Paying you and, if you are an employee, deducting tax and National Insurance contributions	Full name, date of birth, national insurance number, bank account information.	Performance of a contract.
5.	Conducting performance reviews, managing performance and determining performance requirements	Full name, job details and performance information.	Pursuance of our legitimate interests to ensure staff are performing well, to help us address any performance issue for compliance with our obligations under our employment contract with you.
6.	Making decisions about salary reviews and compensation	Full name, job details, salary information and performance information.	Pursuance of our legitimate interests and to comply with our employment contract with you.



7.	Recording health and safety incidents	Full name, health information (as is relevant to the specific incident, such as injury sustained or any underlying health conditions).	Pursuance of our legitimate interests, in compliance with legal obligations, and as necessary to exercise our rights as your employer.
8.	Pensions and benefits administration	Full name, date of birth, residential address, national insurance number, pension scheme details. Some benefits may require us to process health information, although in many cases employees will provide this directly to the benefit provider and not to us.	To comply with our legal obligations as an employer, to perform our contract with you which obliges us to provide you with certain benefits.
9.	Disciplinary matters, staff disputes, employment tribunals	Full name, job details, performance information and information about the disciplinary matter	To exercise our rights as an employer and possibly in the pursuit or defence of legal claims.
10	Staff training and development	Full name.	To perform our obligations as an employer to ensure staff are adequately trained, to comply with legal obligations (such as health and safety regulations) and sometimes in pursuance of our legitimate interests.
11.	Recording of CCTV footage	Photographs and images captured by our CCTV system.	As required for public safety and for public interests.
12	Monitoring use of company devices and IT systems	Information contained in emails and stored on company devices	It is in our legitimate interests to ensure that devices issued by us are used appropriately; it is also necessary for our





			legitimate interests in ensuring information security.
13	Vetting, including background checks, identity checks and driving licence checks (where you are eligible for driving a pool car etc.)	Full name, date of birth, residential address history (including current address), email address, telephone number, national insurance number, details of any criminal convictions and offences.	To comply with legal obligations and as necessary to exercise our rights as an employer.
14	Assessing our performance against equality objectives as set out by the Equality Act 2010	Information about your race or ethnicity, religious beliefs, sexual orientation, political opinions and trade union membership.	To comply with legal obligations to monitor and measure equal opportunities.

