

AMATEUR SWIMMING ASSOCIATION

MEMBERSHIP RETURN 2006

DATA PROTECTION

British Swimming has registered with Data Protection on behalf of the three Home Countries to hold personal data of members and all affiliated clubs, counties and regions. There is no need for any club, county or region to register independently. However there is a requirement for all clubs, counties and regions to comply with the principles of the Act which are listed below:

1. fairly and lawfully processed;
2. processed for limited purposes;
3. adequate, relevant and not excessive;
4. accurate;
5. not kept for longer than is necessary;
6. processed in line with your rights;
7. secure; and,
8. not transferred to countries without adequate protection

The Data Protection Act also now include restrictions on the use of data for commercial and marketing purposes without the explicit consent of each individual.

There is also a requirement to obtain consent for the collection and storage of data. However, this is less restrictive and implicit consent can be obtained by ensuring that members are given the opportunity to read the appropriate clause, for example by publishing it on website, membership form or notice board at the club headquarters. This does not apply to health and medical details as *explicit* consent, (i.e. a signature for this specific purpose) is required from the individual for these to be held. There is also requirement to obtain consent from individuals if their data is to be transferred to a country outside the European Economic Area.

The data protection notice used by the ASA is below and clubs, counties and regions are encouraged to use the same wording on their own documentation and to ensure that all members are advised of this clause. It is posted on the British Swimming website; www.britishswimming.org and printed on the ASA membership forms.

The current Act also states that parental consent is required for the collection of data for children aged below 12 years of age. As a sport we feel that 12 years of age is too low and we have decided that we should obtain parental consent for the collection of data for anyone below 18 years of age. We feel this follows best practice under our child protection strategy.

Please ensure that your members are aware that this clause allows for the collection and use of the data to fulfil the objectives of the organisation only. It does not allow the data to be used for any commercial or marketing purposes.

The ASA will not use the data, or share the data with any third party for marketing or commercial purposes, without firstly obtaining the explicit consent from individual members.

British Swimming

Data Protection – Membership Data Collection - Consent

The Data Protection Act 1998 (“the Act”) sets out certain requirements for the protection of your personal information (i.e. information about you) against unauthorised use or disclosure. The Act also gives you certain rights.

References below the British Swimming include a reference to the three members of British Swimming, the Amateur Swimming Association (ASA), Scottish Swimming Association (SASA) and Welsh Swimming Association (WASA). By virtue of your membership direct or indirect to ASA, SASA and WASA you agree to your personal data being made available to British Swimming and its members, subject always to compliance with the Data Protection legislation. This does not include sensitive personal data such as health or medical conditions, which require the explicit consent of the data subject i.e. a signature for this specific purpose.

Except to the extent that your club or British Swimming is required or permitted by law, (the information you provide in this form, and any other information obtained or provided during the course of your membership (“the information”)) **will be used solely for the purposes of processing your application and dealing with you as a member.**

If you cease to be a member of the British Swimming, the information will not be held for longer than is necessary, after which time it will be destroyed.

You agree to use all reasonable endeavours to keep your club and British Swimming informed of any changes to your personal data.

So that we may use the information for the above purpose and on the above terms, we are required under the Act to obtain your *consent*. Members are therefore requested to sign the consent clause on the reverse of the membership forms or by confirming to their Club Membership Officer that they agree to the above by providing their data for electronic submission to the ASA, SASA or WASA.