

General Data Protection Regulation – Frequently Asked Questions

WHAT IS GDPR?

The new General Data Protection Regulation (GDPR) which came into force on 25 May 2018 is a European Regulation that gives individuals more control than previously over how their personal data can be used by the organisations they deal with.

WHAT IS PERSONAL DATA?

Personal data is any information that would allow an individual to be specifically identified, either on its own or in conjunction with other information. It covers such items as name, address, email address, phone number, date of birth, PPSN number, photograph, etc.

WHO DO THE REGULATIONS APPLY TO?

The Regulations apply to any organisation which holds data, including not-for-profit organisations such as bridge clubs. In the Irish bridge context, both the CBAI itself and each individual club has obligations under GDPR; the regions, as branches of the CBAI, will be covered by the Association's own data control procedures, and thus do not need separate procedures of their own.

WHAT DOES A CLUB NEED TO DO?

1. You need to set out your policy in relation to personal data, and make it available to your members. A sample Privacy Policy statement is available separately on the CBAI website.
2. You need to decide who within the club will be responsible for managing members' personal data, and to ensure that these people know their obligations under the Regulations. You also need to agree how you will handle any queries or requests for data from your members.
3. You need to get consent from your members to hold and use their data for the specific purposes for which you need it, and this consent needs to be obtained formally, i.e. with a signature. The easiest way to do this is to ask all members, both current and new, to complete a membership form. A sample version is available on the CBAI website – you will need to include your own club-specific information where appropriate.
4. You need to ensure that any personal data you hold is used only for the purposes for which it was collected.
5. You need to ensure that the data you have collected is stored safely. If you use paper records, they should be kept under lock-and-key; if you store your records electronically, the files should be locked with password protection.

6. You need to dispose of any data that is no longer required, in a secure manner. Paper records should be shredded, and electronic ones should be permanently deleted.
7. You need to make sure that only authorized individuals have access to the personal data. When these individuals change (due to changes in your club officers, for example), you should make it a practice to change all relevant computer passwords.
8. You need to make sure that emails to the membership are sent in such a way that the recipients' individual email addresses are not visible – i.e. by blind-copying them (the “bcc” function) or by using a mailshot program.

ARE THERE ANY EXCEPTIONS IN A BRIDGE CONTEXT?

No. The Regulations apply to all clubs, no matter how small, and regardless of whether or not they are established as profit-making enterprises.

WHAT ARE THE MEMBERS SIGNING UP TO?

There are a number of bases on which an organisation can seek consent to hold and use personal data. If you use the form we are recommending, your members are acknowledging that in the legitimate interests of running the bridge club that they have elected to join, the club will need to use, process, and retain some of their personal data, and furthermore that the club will pass on some or all of that data to the CBAI, as the body responsible for the administration of bridge in Ireland.

This legitimate interest basis is the most flexible legal basis for using data, and is the one appropriate for organisations such as bridge clubs, where people's data will be used in ways they would reasonably expect and that have minimal privacy impact, and where “marketing” activities are not intended. It follows that you must therefore only use the data for purposes that are in the legitimate interests of running your bridge club and in fulfilling your obligations to the CBAI (e.g. for Masterpoints, affiliations, etc).

WHAT ABOUT OFFICERS AND COMMITTEE MEMBERS?

Committee members' personal details (phone numbers or email addresses) should only be displayed on websites or documents if they have specifically agreed to this. For committee business, it is acceptable to send emails to the entire committee in the usual fashion (i.e. without blind-copying) provided that the members of the committee have been informed that this is the practice.

WHEN DO WE NEED TO DO THIS?

The Regulation came into effect on 25 May 2018. So you will need to put policies in relation to members' personal data in place quickly, if you have not already done so, and to seek members' consent to use their data. Realistically, the payment of member subscriptions for next season may represent the best opportunity for clubs to revisit their consents with all members, but we would recommend that a formal Privacy Policy be in place, and be adhered to, as soon as practicable.

WE ALREADY HAVE CONSENTS FROM OUR EXISTING MEMBERS – WILL THIS SUFFICE?

Our advice is that, given the substantial changes in the Regulations affecting personal data, and the requirement to draw members' attention to your policies in this regard, the safest course of action is to seek fresh consents from all members, including those already on your books.

WE CURRENTLY KEEP A LIST OF MEMBER NAMES AND CONTACT DETAILS ON OUR WEBSITE/IN OUR DIARY - DO WE NEED TO CHANGE THIS?

Our advice is that this is an area that is beyond the essential activities of a club, and as such, should only be done if specific member consent is obtained. Given that all members would need to consent, it might be easier to abandon this practice. Honour boards in a public place (such as list of competition winners or former officers within a club), on the other hand, do seem to fall within the definition of the normal activities of a club, and as such, our advice is that they may be retained.

WE PUBLISH RESULTS ON OUR WEBSITE - DO WE NEED TO LIMIT ACCESS TO THIS?

Publishing results is clearly a legitimate and normal activity within a bridge club. In addition, the results presumably do not contain any information other than the player's name and their score, so there would seem to be little risk. Some clubs already limit access to their online results to members of the club, via a password, so this is also an option. But it would not seem to be necessary if your club would prefer not to limit access.

I AM A BRIDGE TEACHER – HOW AM I AFFECTED?

If you teach as part of a bridge club, and the students' details are processed by the club, your activities should be covered by the club's Privacy Policy, as long as the students have signed up to this. If you teach independently of a club (even though you may use the club's premises) then you are responsible for ensuring compliance with the Regulations. Either way, the data obviously needs to be managed in accordance with the Regulations (for example, blind-copying the students on emails, whether they come from you or from the club). We intend to revise the CBAI Student Membership Application Form for next season to take account of GDPR.

If you need any further information on this issue, or feel that there are further questions that should be covered here, please contact us.