



Photographic Alliance of Great Britain

Advice for Clubs, Federations and the PAGB - Data Protection

This document is an advisory document only and does not set out a policy for anyone to follow. It is intended only as guidelines for Clubs to construct their own policy. Whilst the document has been fully researched and we believe it to be accurate, the PAGB can accept no responsibility for any errors or incorrect statements and cannot be held liable for any consequent actions which may arise.

This document is primarily written as advice to Camera Clubs/Societies but also applies to Photographic Federations and the Photographic Alliance of Great Britain.

A Camera Club/Society will generally be a 'not-for-profit' organisation and so has an automatic exemption from the requirement to notify under the Data Protection Act 1998.

A not-for-profit organisation can make a profit for its own purposes, which are usually charitable or social, but the profit should not be used to enrich others. Any money that is raised should be used for the organisation's own activities. Any organisation which is not sure whether or not it is a not-for-profit organisation should get appropriate advice, probably from their accountant or legal adviser.

In order for the exemption from notification to apply to your club, the processing of data must be for the purposes of:

- establishing or maintaining membership;
- supporting your club; or
- providing or administering activities for either the members or those who have regular (not necessarily frequent) contact with the club.

The exemption also restricts:

- the type of personal information you can hold;
- the people that it relates to; and
- the disclosures that an organisation can make;

to only those necessary for the purposes described above unless the individual agrees their personal information can be released. The information must not be kept after the relationship between the individual and the club ends, unless it is necessary for the purposes described above.

Even though your club will rely on an exemption from notification you are still obliged to respond within 21 days to a written request from an individual to provide the information that you hold pertaining to that individual.

Your club must still comply with the eight data protection principles of good practice, which are:

1. Personal data shall be processed fairly and lawfully.
2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under the Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

In short:

- You can manage and process personal data relating to membership of your club or individuals who have regular contact with your club.
- The data stored must be relevant to the relationship the individual has with your club. We advise that this information be restricted to:
 - Name (including any photographic awards)
 - Address
 - Telephone Number
 - Email address
 - Date of Birth (especially if the club operates a tiered subscription)

Competition code and relevant competition level
Any other information required for the running of your club

- You can pass on the data to other organizations such as your Federation or the PAGB providing you have the consent of the individual, usually obtained when the individual fills out a membership form.
- You are obliged to respond within 21 days to a written request from an individual to provide the information that you hold pertaining to that individual.
- You must take reasonable measures to ensure the accuracy and safe keeping of the data you maintain and process.
- You are required to delete the information concerning an individual, within a reasonable period of time, once the relationship between that individual and your club comes to an end.
- You should formally designate one or more persons to be responsible for ensuring the accuracy and safe keeping of the data held by your club.

Further reading and more in depth explanation and knowledge can be found on various pages of the website of the Information Commissioner's Office at:

<https://ico.org.uk/for-organisations/guide-to-data-protection>

If as a Club or Federation you distribute information to persons via electronic means, such as emails, you are required to comply with the requirements of the legislation under Regulations 22 and 23 covering Electronic Mail. It is important that you pay particular attention to the requirement that you must provide a convenient means for anyone to "opt-out" of receiving further Electronic Mail from you. Further details of the legislation covering Electronic Mail can be found on the website of the Information Commissioner's Office at:

<https://ico.org.uk/for-organisations/guide-to-pecr/electronic-and-telephone-marketing/electronic-mail-marketing/>

Should you have any specific questions or require any further clarification and advice please contact the Secretary of the PAGB. Contact details can be found in the PAGB Handbook and on the PAGB Website at www.thepagb.org.uk.