

# Civil Service Sailing Association

## Background to the Association

**The Civil Service Sailing Association (CSSA) is the sport representative body of the Civil Service Sports Council (CSSC), which is a subscription members club. All members of CSSA must also be members of the CSSC and all members of the Management Committee of CSSA, its constituent Divisions and Clubs are unpaid volunteers.**

## General Data Protection Regulation - Legitimate Interests Assessment

### Identifying a Legitimate Interest

#### 1. What is the purpose of the processing operation?

CSSA – to provide a single point of contact between the individual Civil Service sailing Divisions and clubs and the Civil Service Sports Council. To this end it is necessary to have a record of members personal data such as: Name, Address, Telephone numbers – home and office, CSSC and CSSA Membership numbers, email address if available, Employer or CS department, link to CSSC number (if applicable).

For some clubs, additional personal data is required, namely: professional/personal skills, sailing qualifications/experience, boat owned (dinghy, yacht, motor boat, windsurfer, other). The Offshore Division of CSSA also maintains a list of Approved Skippers which, in order to fulfil its duty of care to members, also requires maintenance of a record of medical fitness in the form of an ML5 certificate. This can be found at <https://www.gov.uk/government/publications/ml5-medical-report-form-and-certificate-msf-4112>

#### 2. Is the processing necessary to meet one or more specific organisational objectives?

Processing is necessary to ensure the Association is aware of the membership numbers and their distribution amongst the various sailing clubs, also to check ongoing membership of CSSC.

It also necessary to hold names and addresses to allow distribution of the Association magazine.

For the individual clubs, a record is required of membership to ensure that only members have access to the facilities and to support emergency contacts should these prove necessary. For the use of the sailing clubs' yachts it is necessary to have a record of those qualified to skipper and charter those yachts. This includes ML5 certification.

#### 3. Is the processing necessary to meet one or more specific objectives of any third party?

The Civil Service Sports Council is the primary body for sports membership by civil servants and associated organisations. There is a direct link between the CSSC and the CSSA in recording and processing membership details. Data on CSSC membership is held on databases located at CSSCs Headquarters at Compton Court, 20-24 Temple End, High Wycombe HP13 5DR. Currency of CSSC membership of CSSA members is checked using this CSSC database, for which there is an online checking system.

4. Does the GDPR, ePrivacy Regulation or other national legislation specifically identify the processing as a legitimate activity, subject to the completion of a balancing test and positive outcome?

Yes – individuals would reasonable expect their data to be processed and the processing is necessary to support the objectives and responsibilities of the Association and individual sailing clubs.

### **The Necessity Test**

1. Why is the processing activity important to the Controller?

If the personal data is not provided there would be no realistic prospect of managing the Association or the individual sailing clubs processes. The entire process relies on the availability of volunteer members to manage the Association and sailing club's records.

2. Why is the processing activity important to other parties the data may be disclosed to?  
The initial personal data is held by the CSSC who effectively hold the master database of who is entitled to use the Sports Association facilities. This is further added to by personal data held by the CSSA for data that is specific to sailing/boating activities. All the data is held to ensure that the users are entitled to use the facilities and for the management of membership and mooring fees as appropriate.

3. Is there another way of achieving the objective?

No, not without disproportionate effort. It is necessary to have a computer based membership database for the overall management of the Association and individual sailing clubs, to ensure membership can be informed and for the collection of fees. CSSA itself has no involvement with the CSSC annual membership renewal process – it only checks current membership annually. CSSA requires additional details not held at CSSC level and given the diversity of sports that CSSC covers, it is not practical for CSSC to create different sub-databases for each sport.

### **The Balancing Test**

1. Would the individual expect the processing activity to take place?

Yes, for the effective management of the Association and individual clubs.

2. Does the processing add value to a product or service that the individual uses?

Yes – it ensures that only those entitled to the service receive it. It allows moorings to be granted to members and for sailing competitions to take place.

3. Is the processing likely to negatively impact the individual's rights?

No. The club members will have access to information about what data is held, the reasons for the processing and provide rights of amendment and removal.

4. Is the processing likely to result in unwarranted harm or distress to the individual?

No – it is difficult to see how this could occur.

5. Would there be a prejudice to the Data Controller or third party if data processing does not happen?

Yes. The Data Controller or the third party would not be able to deliver a service and in the case of Approved Skippers, Clubs managing Club Yachts would not know whether sailing qualifications and training certificates are current.

6. Is the processing in the interests of the individual whose personal data it relates to?

Yes. The Association/Club member fully understands the reasons for the collection and retention of the data held.

7. Are the legitimate interests of the individual aligned with the party looking to rely on their legitimate interests for the processing?

Yes. We all want a successful operation within the Association and the individual clubs.

8. What is the connection between the individual and the organisation?

Association/Club member or applicant for membership

9. What is the nature of the data to be processed?

Personal data only – not special category personal data.

10. Is there a two-way relationship in place between the organisation and the individual whose personal information is going to be processed? If so how close is that relationship?

There is an ongoing relationship at Association and Club level, with members able to update details whenever required, also to request permanent deletion of data if they resign from the Association, Club or from the CSSC.

11. Would the processing limit or undermine the rights of individuals?

No

12. Has the personal information been obtained directly from the individual?

Yes, in ALL cases.

13. Is there an imbalance of who holds the power between the organisation and the individual?

Yes, because the individual is looking for the provision of a service in terms of club membership or moorings, though so long as the individual meets the membership criteria it is difficult to see how their rights under GDPR are eroded.

14. Is it likely that the individual may expect their information to be used for this purpose?

Yes – it is provided for these specific reasons.

15. Could the processing be considered intrusive or inappropriate?

No

16. Is a fair processing notice provided to the individual?

No, not yet but the location of a Privacy Notice will be provided as part of the membership joining information. This will ensure that the individual is made aware of the use to which the data will be put and the modification/removal mechanism.

17. Can the individual, whose data is being processed, control the processing or object to the activity easily?

Yes, as noted above, the facility will be provided to allow an individual to edit their data or remove it if they so choose (though, of course, it will mean that a service cannot be delivered).

18. Can the scope of the processing be modified to reduce/mitigate any underlying privacy risks or harms?

The scope itself cannot be altered as the data is fairly minimal, however consideration will be given to ensuring that where necessary, data is encrypted and/or password protected and that an audit trail is provided. In the case of paper copies of personal data, this will only be held for sufficient time to complete processing. Following this the paper copy will be destroyed.

The above assessment provides an accurate statement of the facts as they are understood. Where changes to existing processes are identified these will be actioned by the Association or individual sailing clubs as appropriate.

Based on this assessment it is concluded that Legitimate Interest is the appropriate Lawful Basis for processing the personal data of current and prospective members of the CSSA and its constituent clubs.

Signed:

Role:

Date: