

## FEN LINE USERS ASSOCIATION

# DATA PROTECTION AND PRIVACY NOTICE

APPROVED BY THE ASSOCIATION'S COMMITTEE ON 21 APRIL 2018

## I GENERAL

**Data protection and privacy** (General Data Protection Regulation and Privacy and Electronic Communications Regulations): Having completed Legitimate Interest Assessments (see parts III and IV below), we are satisfied we are able to comply with the above legislation on the ground of Legitimate Interest. We keep basic personal data on encrypted computer files and, where relevant, in our email programs. We only use this data in ways you would reasonably expect to maintain our records and to keep contact with you. We do not share this data with others. Members have the right to check, amend and/or delete their personal data. We also send *The Fenman* to Key Decision Makers and Persons with a Relevant Professional Interest in or relevant to the rail industry. We keep contact details on encrypted computer files and, where relevant, in our email programs. We do not share these contact details with others.

### Opt-out

All recipients have the right to unsubscribe at any time: write to the Secretary or email [fenman@flua.org.uk](mailto:fenman@flua.org.uk) with 'unsubscribe' as the subject.

## II STORAGE, USE AND RETENTION OF PERSONAL DATA AND PRIVACY POLICY

### A GENERAL

1 The Data Controller (DC) is responsible for Data Protection (including its Storage, Use and Retention) and for Privacy. The DC role is exercised by the Treasurer, acting on behalf of the Secretary.

2 This document sets out the Association's approved policies for Data Storage, Use and Retention of Personal Data, Privacy and the rights of Members and others associated with FLUA in these matters. Relevant details are set out, where appropriate, under each numbered heading. This document will be reviewed annually at the first Committee Meeting of each year.

### B MEMBERS

#### 3 Membership Register

**Purpose:** to maintain a register of current Members. The Association's Constitution clause 3 states "The Secretary shall maintain a register of membership."

**Form held on computer:** Encrypted spreadsheet.

**Expiry:** Continually updated. Previous versions held in encrypted file form for a period not exceeding twelve months. Former Members with outstanding payments deleted from current version after six months.

**Data held:** Name; Address; Email address; Number of Members at address; Year of joining; Month of Last Renewal; Last Amount Paid Year of Membership Expiry (December).

**Retention and Distribution:** retained by DC and the Committee Member acting as Newsletter Distributor. Distributed to no other person or organisation.

**Form distributed:** Encrypted Spreadsheet.

**Additional Distribution:** Anonymised statistical data distributed to Committee Members. Distributed to no other person or organisation.

**Form of additional distribution:** Unencrypted File or Document by unencrypted email.

**Data Access:** On written request, Members have the right to obtain a copy of their personal data as held in the Membership Register, and, if inaccurate, to demand its correction.

**Termination of Membership:** On written request, and subject to identification checks, Members have the right to demand deletion of their personal data from the Membership Register at any time, such deletion to include deletion from items 5 to 8 below.

#### **4 Membership Application and Renewal Forms**

**Purpose:** for updating Membership Register.

**Information requested:** Name; Postal Address; Email address; Number of Members at Address; Method of Payment.

**Retention and Distribution:** retained by DC, distributed by hand to Independent Examiner for checking Annual Accounts. Distributed to no other person or organisation.

**Paper copy retention:** held at private dwelling.

**Means of paper copy disposal:** shredded following adoption of relevant Annual Accounts by Members at Annual General Meeting.

#### **5 Membership Email distribution Lists**

**Purpose:** for distribution of relevant Members' copies of the Association's Newsletter. The Association's Constitution clause 2(c) requires keeping Members "fully informed."

**Form held on computer:** Categories in email client program.

**Expiry:** continually updated.

**Data held:** Name; Email Address.

**Retention and Distribution:** retained by the Committee Member acting as Newsletter Distributor. Distributed to no other person or organisation.

**Form used:** Unencrypted email.

#### **6 Membership Address Labels File 1**

**Purpose:** for distribution of the Association's Newsletter to Members. The Association's clause 2(c) requires keeping Members "fully informed."

**Form held on computer:** Encrypted file.

**Expiry:** continuously updated. Previous versions held in encrypted file form for a period not exceeding six months.

**Data held:** Name; Postal Address.

**Retention and Distribution:** retained by the Committee Member acting as Newsletter Distributor. Distributed to no other person or organisation.

**Form used:** paper label.

**Paper Label retention:** held at private dwelling.

**Means of paper disposal:** no longer held after being sent in post to Members.

#### **7 Membership Address Labels File 2**

**Purpose:** for distribution of the Association's Newsletter to Members with Outstanding Membership Payments. One copy of the Association's Newsletter is sent beyond the date of Payment being due, with a payment reminder.

**Form held on computer:** Encrypted file.

**Means of paper disposal:** automatic – sent in post to Members.

**Expiry:** continuously updated. Previous versions held in encrypted file form for a period not exceeding six months.

**Data held:** Name; Postal Address.

**Retention and Distribution:** retained by the Committee Member acting as Newsletter Distributor. Distributed to no other person or organisation.

**Form used:** paper label.

**Paper Label retention:** held at private dwelling.

**Means of paper disposal:** no longer held after being sent in post to Members.

#### **8 Annual Compilation of List of Current Membership:**

**Purpose:** to establish eligibility for voting rights/admittance at AGM.

**Form held on computer:** Encrypted spreadsheet.

**Expiry:** updated in advance for use at next AGM.

**Data held:** Name; Postcode; Month of Last Renewal; Last Payment Amount; Year of Membership Expiry (December); Subscription Due (where appropriate); Membership Status (email or postal).

**Retention and Distribution:** retained by the DC and distributed to the Association Member responsible for entrance at the AGM. Distributed to no other person or organisation.

**Form distributed:** paper copy.

**Paper copy retention:** held on physical file at private dwelling.

**Paper copy expiry:** following creation of next List.

**Means of paper copy disposal:** shredding.

*Where relevant, encrypted Backups are held on alternative hard drives on the same computers as the original files are held.*

## **C CURRENT KEY DECISION MAKERS AND PERSONS WITH A RELEVANT PROFESSIONAL INTEREST**

### **9 Master List**

**Purpose:** to maintain a list of current Key Decision Makers and Persons with a Relevant Professional Interest in or relevant to the rail industry to enable fulfilment of the Association's Constitution clause 2(a) – "representation of the interests of persons, companies and undertakings using rail services on the line from King's Lynn to Cambridge and London ... to the management of the franchise holder(s) ... and on occasion to others ..." – by sending them complimentary copies of the Association's Newsletter, by post or by email, and by virtue of the relevant office or position they hold.

**Form held on computer:** Encrypted spreadsheet.

**Expiry:** continuously updated. Previous versions held in encrypted file form for a period not exceeding six months.

**Data held:** Name, Job or Position Title, and Organisation, taken from publically available sources; Email or Postal distribution; List – Label or, if in Email Client Program, Category.

**Retention and Distribution:** retained by the Committee Member acting as Newsletter Distributor. Distributed to no other person or organisation.

**Form held and distributed:** Encrypted Spreadsheet.

**Additional Distribution:** Anonymised statistical and analytical data distributed to Committee Members. Distributed to no other person or organisation.

**Form of additional distribution:** Unencrypted Portable Document Format document by unencrypted email.

**Data Access:** On written request, and subject to identification checks, current Key Decision Makers and Relevant Interests Persons with a Relevant Professional Interest have the right to obtain a copy of their personal data as held in the Master List, and, if inaccurate, to demand its correction.

**Cessation of receiving the Association's Newsletter:** On written request, and subject to identification checks, all persons included in the Master List have the right to demand deletion of their personal data from the Master List at any time, such deletion to include deletion from items 10 and 11 below.

### **10 Current Key Decision Makers and Persons with a Relevant Professional Interest email distribution Lists**

**Purpose:** for distribution of the Association's Newsletter to current Key Decision Makers and Relevant Interests Persons with a Relevant Professional Interest by email.

**Form held on computer:** Categories in Email client program.

**Expiry:** continuously updated.

**Data held:** Name; Email Address.

**Retention and Distribution:** retained by the Committee Member acting as Newsletter Distributor. Distributed to no other person or organisation.

**Form used:** Unencrypted email.

### **11 Current Key Decision Makers and Persons with a Relevant Professional Interest Labels File**

**Purpose:** for distribution of the Association's Newsletter to current Key Decision Makers and Relevant Interests Persons with a Relevant Professional Interest by post.

**Form held on computer:** Encrypted file.

**Expiry:** continuously updated. Previous versions held in encrypted file form for a period not exceeding six months.

**Data held:** Name; Job Title or Position; Postal Address.

**Retention and Distribution:** retained by the Committee Member acting as Newsletter Distributor. Distributed to no other person or organisation.

**Form used:** paper label affixed to Envelope.

**Paper Label retention:** held at private dwelling.

**Means of paper disposal:** automatic – sent in post to Key Decision Makers and Persons with a Relevant Professional Interest.

*Where relevant, encrypted Backups are held on alternative hard drives on the same computers as the original files are held.*

### III LEGITIMATE INTERESTS ASSESSMENT

to comply with the General Data Protection Regulation (GDPR) and Privacy & Electronic Communication Regulations (PECR) in respect of FLUA Members and persons whose membership has recently lapsed

We understand our responsibility to protect the individual's interests.

- *We only use personal data for reasons that members can reasonably expect*
- *We do not share personal data with third parties*
- *We store personal data securely*

We have checked that the processing is necessary and there is no less intrusive way to achieve the same result.

- *It is necessary to process personal data for the effective running of FLUA*
- *It is necessary to process personal data to promote FLUA's aims*
- *Only essential personal data is held and processed for the above reasons*
- *There is no less intrusive way to achieve the same result*

We only use individuals' data in ways they would reasonably expect, unless we have a very good reason not to.

- *We use the data to maintain our membership records*
- *We use the data to contact members about subscription renewals*
- *We use the data to send members our newsletter*
- *We do not share personal data with third parties*

We have considered safeguards to reduce the impact where possible.

- *We do everything reasonably practical to protect personal data*
- *Personal data is stored on encrypted spreadsheets*
- *Only the Data Controller and Newsletter Distributor have access to the data*

We are not using people's data in ways they would find intrusive or which could cause them harm, unless we have a very good reason.

- *We only use members data for purposes they would reasonably expect*

We have considered whether we can offer an opt out.

- *We do offer an "opt out" and this is clearly stated to Members on communications*

We have identified the relevant legitimate interests.

- *FLUA'S Constitution clause 3 states "The Secretary shall maintain a register of membership."*
- *FLUA'S Constitution clause 2(c) requires keeping members "fully informed."*
- *FLUA stores and processes members' personal data to fulfil these objectives*

We have checked that legitimate interests is the most appropriate basis.

- *We are satisfied that our legitimate interests are a valid reason for storing and processing member's personal data*

We have conducted a legitimate interests assessment (LIA) and kept a record of it, to ensure that we can justify our decision.

- *Our Legitimate Interests Assessment was conducted on 17<sup>th</sup> April 2018.*
- *Our Legitimate Interests Assessment was approved by a full meeting of the FLUA Committee on 21<sup>st</sup> April 2018.*

- *A copy of our Legitimate Interest Assessment can be viewed on our website.*

We have done a balancing test, and are confident that the individual's interests do not override those legitimate interests.

- *It is in our members interests to receive communications from FLUA*
- *One of FLUA's stated objectives is to keep our members fully informed*
- *We are satisfied that our members' interests are not overridden by our legitimate interests*

We keep our LIA under review, and repeat it if circumstances change.

- *We review our LIA annually at the first committee meeting of the year*
- *We review our LIA when any changes to circumstances and/or legislation occur*

We include information about our legitimate interests in our Privacy Notice.

- *We provide information about our legitimate interests in our Privacy Notice*
- *A copy of our Privacy Notice can be viewed on our website*

We have considered whether we also need to conduct a DPIA.

- *We do not consider there to be a significant privacy impact*
- *The data we store and process is not of a sensitive nature*

Children.

- *We do not process children's data.*

#### **IV LEGITIMATE INTERESTS ASSESSMENT**

**to comply with the General Data Protection Regulation (GDPR) and Privacy & Electronic Communication Regulations (PECR) in respect of Key Decision Makers and Persons with a Relevant Professional Interest**

We understand our responsibility to protect the individual's interests.

- *We only use personal data for reasons that might reasonably be expected*
- *We only contact individuals with information relevant to FLUA's aims and objectives*
- *We do not share personal data with third parties*
- *We store personal data securely*

We have checked that the processing is necessary and there is no less intrusive way to achieve the same result.

- *It is necessary to process personal data for the effective running of FLUA*
- *It is necessary to process personal data to promote FLUA's aims*
- *Only essential personal data is held and processed for the above reasons*
- *There is no less intrusive way to achieve the same result*

We only use individuals' data in ways they would reasonably expect, unless we have a very good reason not to.

- *We use the data to maintain our newsletter distribution list*
- *We use the data to send our newsletter to carefully selected individuals*
- *We do not share personal data with third parties*

We have considered safeguards to reduce the impact where possible.

- *We do everything reasonably practical to protect personal data*
- *Personal data is stored on encrypted spreadsheets*

- *Only the Data Controller and Newsletter Distributor have access to the data*

We are not using people's data in ways they would find intrusive or which could cause them harm, unless we have a very good reason.

- *We only use data for purposes that those we contact would reasonably expect*

We have considered whether we can offer an opt out.

- *We do offer an "opt out" and this is clearly stated on communications*

We have identified the relevant legitimate interests.

- *FLUA'S Constitution clause 2(a) states its aims as – "representation of the interests of persons, companies and undertakings using rail services on the line from King's Lynn to Cambridge and London ... to the management of the franchise holder(s) ... and on occasion to others"*
- *FLUA stores and processes personal data only to fulfil these aims*

We have checked that legitimate interests is the most appropriate basis.

- *We are satisfied that our legitimate interests are a valid reason for storing and processing individuals personal data*

We have conducted a legitimate interests assessment (LIA) and kept a record of it, to ensure that we can justify our decision.

- *Our draft Legitimate Interests Assessment was conducted on 17<sup>th</sup> April 2018.*
- *Our Legitimate Interests Assessment was approved by a full meeting of the FLUA Committee on 21<sup>st</sup> April 2018.*
- *A copy of our Legitimate Interest Assessment can be viewed on our website.*

We have done a balancing test, and are confident that the individual's interests do not override those legitimate interests.

- *FLUA'S aims are to represent its members interests to the railway industry and other key decision makers and relevant parties*
- *We only contact carefully selected individuals with information they might reasonably expect to receive in connection with their relevant employment, role or public office*
- *We are satisfied that the individual's interests are not overridden by our legitimate interests*

We keep our LIA under review, and repeat it if circumstances change.

- *We review our LIA annually at the first committee meeting of the year*
- *We review our LIA when any changes to circumstances and/or legislation occur*

We include information about our legitimate interests in our Privacy Notice.

- *We provide information about our legitimate interests in our Privacy Notice*
- *A copy of our Privacy Notice can be viewed on our website*

We have considered whether we also need to conduct a DPIA.

- *We do not consider there to be a significant privacy impact*
- *The data we store and process is not of a sensitive nature*

Children.

*We do not process children's data.*