

## General Data Protection Regulation (GDPR) FAQs

### **Our Member Group doesn't have a dedicated Registration Officer – who is responsible for helping to manage personal data?**

If someone else in your group or area has been approved by central office to receive membership lists (such as the chair/secretary), they must follow the guidelines. If you don't have a membership secretary, please nominate someone else in your group or area to be responsible for documenting how you manage personal data.

### **I'm a Registration Officer, Can I share the membership report with another volunteer?**

If another volunteer needs to communicate with members in relation to their membership, for example to send out the walks programme, you can share the membership data with them. However, you should only share what data they need, and must remind them not to share it with anyone else, that they must respect people's contact preferences that they should destroy the data as soon as they have finished with it. They would also be required to sign the relevant documentation which is to be stored with Cycling UK Head Office prior to ANY data being shared.

### **What if we get questions from members?**

Please direct all questions about data protection to your membership secretary who can raise questions with the Cycling UK GDPR team.

### **Our group/area sends out a newsletter. Can we still do this?**

Sending group/ area newsletters is a lovely addition to people's membership, but is not essential to their membership. Therefore, they must only be sent to people who have consented to receive communications from Cycling UK. So please use the monthly membership lists sent by Head office and abide by members' contact preferences, only sending group/area newsletters to those who have opted into communications from Cycling UK.

### **Our group uses an external printer to print our programmes – can we send them the addresses of our members?**

Yes, this is a legitimate use of member data and covered by our privacy policy. However, you should document this in the "Managing personal data" template maintained by your group / area and have a data processing agreement with the printer. Please get in touch with the Cycling UK GDPR Team in regard to this.

### **Can personal data be shared with other organisations?**

No. Personal data cannot be shared with other organisations.

### **What if I am using data that is already in the public domain?**

The GDPR still applies to data in the public domain. Therefore, if you collect personal data from the public domain, and store or process it in anyway, it counts as data processing. For example, if you compile a list of MP's based on public records and keep

this year after year, it needs to be processed in accordance with the GDPR. Therefore, we strongly recommend that you do not compile personal data which is in the public domain.

### How long should data be kept for?

Please refer to the Data Retention Policy supplied by Cycling UK for advice on how long any data should be kept for.

### Our group/area takes photos of our rides and other Cycling UK activities – can we publish them?

Photographs of people are a type of personal data. However, there is not yet detailed guidance about how the GDPR applies to photos. Nevertheless, you should always seek consent before taking or publishing photos. We recommend that in the case of:

Staged photos of a group where you gather a group of people together to take a photo (for example, after completing a ride or activity)

You must inform the group if the photo will be published and where (for example, your website, social media, a newsletter) and confirm people are willing to be photographed for that purpose.

If you wish to use this photo for commercial or marketing purposes (for example, on a printed leaflet), or identify individuals by name, you will need to be able to demonstrate their consent. The easiest way to do this is by completing a written photo consent form.

However, if you are simply showcasing your group/area's activity on your group/area's website, social media, newsletter (online or print), and you don't identify people by name or share other personal data, you do not need their written consent.

Candid photos of a group taken when people weren't aware and aren't easily identifiable (for example, a group walking along the coast in the distance).

If you wish to use this photo for commercial or marketing purposes (for example, on a printed leaflet), or identify individuals by name, you will need to be able to demonstrate their consent. The easiest way to do this is by completing a written photo consent form.

However, if you are simply showcasing your group/area's activity on your group/area's website, social media, newsletter (online or print), and you don't identify people by name or share other personal data, you do not need their written consent.

Photos of one or two people where the individuals are the main focus of the photo and identifiable

You must inform the person/people if the photo will be published and where (for example, your website, social media, a newsletter) and confirm they are willing to be photographed for that purpose.

If you wish to publish the photo in any way (for example, your website, newsletter, social media or printed materials), you will need to be able to demonstrate their consent. The easiest way to do this is by completing a written photo consent form.

### Photos of children

You must not take photos of children unless their parent or legal guardian has given explicit permission. If you wish to publish the photo in any way (for example, your website, newsletter, social media or printed materials), you also need to have the consent of their parent or legal guardian. The easiest way to do this is by completing a written photo consent form.

### We have many photos of our group from years gone by – can we keep them?

We are still developing our guidance around existing photos and photo archives – please look out for further information.

### Can we publish our groups/areas committee/ AGM meeting minutes?

If you wish to publish minutes, we recommend that you redact names and contact details, or use their role rather than personal details. Alternatively, during your meeting confirm how and where the minutes will be published and record in the minutes that people consented / make adjustments if people don't wish their details to be published.

### We have old AGM and committee meeting minutes on our group/area website – is this OK?

We recommend that you only keep minutes from the last year online and take older ones down to keep as part of your group or area's archive rather than publicly available. Where you do have minutes publicly available, we recommend that you redact names and contact details or use their role rather than personal details. Otherwise you need individual's consent to publish.

### We have many old AGM and committee minutes – can we keep them?

We are still investigating how we manage our historical records. But the key principle is that if you publish AGM or committee minutes (for example on a website, or in an annual report), you need to redact personal details, or have the people's consent for their details to be published. So for now, please continue to keep your records safely, and if you want to publish them, redact the personal information or ask (and record) their permission.

### Can we keep old membership reports so that our group / area can analyse our membership over the year?

No, please do not keep historical membership reports that include personal data. If you wish to analyse trends, please keep only membership figures, not personal data.

### Can we keep training records so that we know who has been trained?

No, please do not keep historical records of training that include personal data. You may keep a list of names, the dates of training and qualification they have achieved.

### I'm friends with lots of people in my group – can I still email them, take photos etc?

Yes, of course. The main thing to remember is if you're doing a volunteer activity on behalf of Cycling UK, for example sending out information about a rides programme or

taking a photo for your group Facebook page, then you need to follow our GDPR guidelines.

#### **Do we need to send a copy of the “Managing personal data” template to you?**

No, this is for your group / area to manage and keep up to date at a local level. However, if you are going to add activities to it, please get in touch.

#### **How do I respond to a subject access requests?**

If you receive a Subject Access Requests, do not reply and please notify the GDPR Team at Cycling UK at [dpo@cyclingsuk.org](mailto:dpo@cyclingsuk.org) within 24 hours who will advise on next steps.

#### **What happens if there is a data breach?**

If a data breach has occurred, or you are worried one might have, please notify the Cycling UK GDPR Team at [dpo@cyclingsuk.org](mailto:dpo@cyclingsuk.org) within 24 hours who will advise on next steps.

#### **Do I need to register with the Information Commissioner’s Office (ICO)?**

No, Cycling UK are registered with the ICO so you just need to liaise with Cycling UK’s GDPR Team at [dpo@cyclingsuk.org](mailto:dpo@cyclingsuk.org).

#### **Do we have to be compliant by 25<sup>th</sup> May 2018?**

No, you must demonstrate to the ICO if required that you have measures in place and that you are working on areas where policy and procedure changes are needed.

#### **How will Brexit affect the GDPR?**

When the GDPR comes into effect on 25 May 2018, Britain will be in the EU and therefore the GDPR will become part of EU law. Under the proposed European Union (Withdrawal) Bill (also referred to as the “Great Repeal Bill”), the GDPR would remain UK law after Brexit, but it could be amended in the UK thereafter.