



# **DATA PROTECTION POLICY**

YORKSHIRE CRICKET

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## 1. PRELIMINARY

### 1.1 Purpose

Yorkshire Cricket respects and protects the Personal Data that we handle as part of our operational, sporting, community, and development activities.

The Data Protection Policy (the **Policy**) sets out how Yorkshire Cricket employees, players, contractors, volunteers, non-executive directors, trustees and all persons engaged to undertake work, represent or provide services for or on behalf of Yorkshire Cricket should handle Personal Data and outlines Yorkshire Cricket's approach to Personal Data governance.

### 1.2 Objectives

The Policy seeks to:

- a) establish consistent and clear standards to be followed when Processing Personal Data at Yorkshire Cricket;
- b) ensure Yorkshire Cricket is responsible for, and is able to demonstrate compliance with, the principles of UK General Data Protection Regulation (GDPR); and
- c) ensure data is Processed lawfully, fairly and in a transparent manner in relation to individuals.

### 1.3 Scope

The Policy applies to any Processing of Personal Data for Yorkshire Cricket operational and business purposes by Yorkshire Cricket employees, workers, players, contractors, volunteers, non-executive directors, trustees and all persons engaged to undertake work, represent or provide services for or on behalf of Yorkshire Cricket.

This includes information about our employees, contractors, supporters, customers, suppliers, competitors, and other individuals. This information may be held in email systems, HR systems and marketing databases, some of which may be owned and operated by third parties.

Yorkshire Cricket may also process a subset of Personal Data called special category Personal Data, such as information about racial or ethnic origin, religious or similar beliefs, sexual life and orientation, medical history, criminal convictions, political affiliations and beliefs, trade union membership, genetic information and biometric data as part of our business operations. This information needs to be handled with particular care and only to the extent permitted by applicable law.

## 2. DEFINITIONS

Data Subject	means an identifiable natural person, who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;
Personal Data	means any information relating to an identified or identifiable natural person;
Personal Data Breach	means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed;

Processing	means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
UK GDPR	means the EU General Data Protection Regulation 2016/679, as transposed into United Kingdom national law by operation of section 3 of the European Union (Withdrawal) Act 2018 and as amended by the Data Protection, Privacy and Electronic Communications (Amendments etc.) (EU Exit) Regulations 2019; and
Yorkshire Cricket	for the purposes of this Policy, Yorkshire Cricket refers to Yorkshire County Cricket Club, Yorkshire Cricket Foundation, Northern Diamonds and Yorkshire Cricket Board.

### 3. POLICY

Yorkshire Cricket is subject to a number of data protection laws and regulations, however, the primary laws to note are the UK GDPR and Data Protection Act 2018. Penalties for breach of such laws and regulations can be severe and may result in the loss of rights to process personal information, significant fines or criminal charges for Yorkshire Cricket or individuals.

Compliance with the Policy is also a standard of conduct under Yorkshire Cricket’s Code of Conduct.

#### 3.1 Key Data Privacy Principles

Yorkshire Cricket is committed to handling Personal Data properly and regards the lawful use of Personal Data that we hold in accordance with the principles set out in this Policy as vital to our successful operations.

When handling Personal Data, you must comply with the following key principles which promote good conduct in relation to the Processing of Personal Data:

- **Lawfulness** – Personal Data will be Processed in a fair, lawful, and transparent manner. Each activity which involves Processing Personal Data must have one of a set number of lawful bases.
- **Limited purposes** – Personal Data will be obtained for specified, explicit and legitimate purposes and will not be further Processed in any manner incompatible with those purposes. Yorkshire Cricket cannot use Personal Data for new, different or incompatible purposes from that disclosed when it was first obtained unless it has informed the Data Subject of the new purposes and they have consented where necessary.
- **Data minimisation** – Personal Data must be adequate, relevant, and not excessive in relation to the purpose(s) for which it is Processed. In other words, Yorkshire Cricket must only Process Personal Data when the work requires it.
- **Accuracy** – Personal Data will be accurate and, where necessary, kept up to date, and every reasonable step must be taken to ensure that Personal Data that are inaccurate (having regard to the purpose, or purposes, for which they are processed) are immediately deleted or rectified.

- **Limited retention** – Personal Data Processed for any purpose (or purposes) will not be kept for longer than is necessary for that purpose (or purposes) unless a law requires such data to be kept for a minimum time.
- **Security** – Appropriate technical and organisational measures will be taken against unauthorised or unlawful Processing of Personal Data and against accidental loss or destruction of, or damage to, Personal Data. Data security is maintained by protecting the confidentiality, integrity and availability of the Personal Data, defined as follows:
  - **confidentiality** means that only people who have a need to know and are authorised to use the Personal Data can access it;
  - **integrity** means that Personal Data is accurate, complete and has not been amended or tampered with in any way; and
  - **availability** means that authorised users are able to access the Personal Data when they need it for authorised purposes.
- **Accountability** – Personal Data will always be Processed in a manner that can demonstrate compliance with the above-mentioned principles. Yorkshire Cricket implements a number of controls to ensure UK GDPR compliance, including:
  - appointment of a Data Protection Officer (**DPO**);
  - integrating data protection into internal documents including this policy and related policies;
  - providing training on the UK GDPR and data protection matters including, for example, Data Subject's rights, Consent, legal basis, DPIA and Personal Data Breaches; and
  - regularly testing the privacy measures implemented and conducting periodic reviews and audits to assess compliance.
- **Sharing Personal Data outside Yorkshire Cricket** - Disclosure must be made on a strictly limited 'need to know' basis where there is clear justification for transferring Personal Data - either because the Data Subject has consented to the transfer, because it is for a legitimate charitable need or because there is an overarching legal requirement. In each case the Data Subject must be aware that the transfer is likely to take place. Assurances should also be sought from the recipient that they will only use the Personal Data for legitimate / authorised purposes and keep it secure.
- **International transfers** – Yorkshire Cricket must ensure that Personal Data originating in the UK is not transferred outside of the UK, unless the recipient country maintains an adequate level of protection, or where appropriate measures are taken to protect the data, including data transfer agreements, or certification schemes.
- **Security breaches** - Where relevant, Yorkshire Cricket may have a duty to notify Personal Data breaches to the relevant supervisory authority. Yorkshire Cricket is subject to a statutory obligation to report most breaches within 72 hours of becoming aware that a breach has occurred. Examples of Personal Data Breaches include third party attacks on IT infrastructure to

harvest personal data; accidental loss or theft of Yorkshire Cricket devices (e.g. mobile phones, laptops, USB devices); disclosure of Personal Data without appropriate security measures being in place. In respect of serious breaches, there may also be a requirement to notify the affected Data Subjects. **If you know or suspect that a Personal Data Breach has occurred, do not attempt to investigate the matter yourself. Immediately contact the DPO.**

- **Data subject rights** – under UK GDPR, Data Subjects have rights when it comes to how we handle their Personal Data. Privacy notices should be provided to Data Subjects which contain contact information which allows them to exercise the following rights:
  - the right to access Personal Data;
  - the right to object to Processing (including where Personal Data is processed for direct marketing purposes);
  - right to the erasure/deletion of Personal Data concerning the Data Subject;
  - the right to restrict Processing;
  - the right to data portability;
  - the right to object to decisions being taken by automated means, including profiling;
  - the right to have inaccurate or incomplete data rectified or completed;
  - an unconditional right to opt-out of direct marketing at any time; and
  - the right to claim compensation for damages caused by a breach of law.

Except where the identity of a requester is certain (for example, a request is made by an existing employee from a Yorkshire Cricket email address), steps should be taken to confirm the identity of the requester, by asking for proof of identity documentation (e.g., a passport or driving licence). Yorkshire Cricket will have one month from the date of a request (or the date on which proof of identity is received) to issue its response, except where the request is particularly onerous, and an extension of up to two months can be permitted.

- **Data Protection Impact Assessments** – Where Processing may present a high risk to Data Subjects and so as to promote the principle of privacy by design, Yorkshire Cricket will need to conduct a privacy impact assessment in order to determine the nature of those risks and mitigate such risks to the extent possible. A Data Protection Impact Assessment (**DPIA**) must include:
  - a description of the Processing, its purposes and the Data Controller's legitimate interests if appropriate;
  - an assessment of the necessity and proportionality of the Processing in relation to its purpose;
  - an assessment of the risk to individuals; and

- the risk mitigation measures in place and demonstration of compliance.
- **Direct Marketing** – a Data Subject's prior consent is normally required for their Personal Data can be used for electronic direct marketing (for example, by email, text or automated calls). In some cases – for example, where a customer's contact details are collected at the time they are making a purchase of goods or services – we do not need to obtain prior consent, as long as we give the Data Subject the option to opt-out of marketing when their details are collected.

Data Subjects have a right to stop direct marketing by any means at any time and a suppression list should be held listing Data Subjects who have indicated that they do not want to be contacted in the future.

- **Cookies** – Yorkshire Cricket websites should not deploy cookie technology without having a clear statement explaining to users how cookies are deployed and giving individuals an opportunity to consent before having cookies placed on their computers.

## 4. ROLES AND RESPONSIBILITIES

### 4.1 Data Protection Officer

The Data Protection Officer (**DPO**) is a statutory role required by the UK GDPR.

The DPO is appointed to cover all of Yorkshire Cricket's operations and will have their principal office at Headingley Cricket Ground, Kirkstall Lane, Headingley LS6 3DP. The DPO leads data protection compliance within Yorkshire Cricket, and is responsible for, amongst other, the following tasks:

- to inform and advise Yorkshire Cricket and its employees about their obligations to comply with the UK GDPR and other data protection laws;
- to monitor compliance with the UK GDPR and other data protection laws, including managing internal data protection activities and the oversight and sign-off of key compliance tasks such as Yorkshire Cricket's record of Processing activities, and data protection impact assessments; and
- to be the first point of contact for supervisory authorities and for individuals whose data is processed.

The DPO is employed on terms that guarantee their independence and impartiality. The DPO's role is not commercial, and the DPO must not be put in a situation (e.g., through the assignment of additional responsibilities) that might create a conflict of interest.

Yorkshire Cricket is committed to providing the DPO with sufficient resources to enable the DPO to carry out their tasks under the UK GDPR and other applicable data protection laws and, in particular, to be in a position to efficiently communicate with Data Subjects and cooperate with relevant supervisory authorities.

Yorkshire Cricket shall publish the contact details of the DPO and shall communicate such contact details to relevant supervisory authorities in order to allow Data Subjects and the Information Commissioner's Office to reach the DPO in an easy way.



## **4.2 Board of Directors**

The Non-Executive Directors (**NEDs**) of Yorkshire County Cricket Club and Board Trustees of the Yorkshire Cricket Foundation and Yorkshire Cricket Board recognises the importance of strong data privacy and data protection governance practices, both in relation to Yorkshire Cricket's responsibilities under the law, as well as in relation to our standing in the community and the sport.

The DPO is expressly permitted to raise with the Risk and Audit Committee of the Yorkshire County Cricket Club's Board of Directors on an ad-hoc basis potentially high-risk projects or possible material non-compliance. The NEDs and Board Trustees will also be informed about Personal Data breaches, and executives may be asked to play a role in leading the public response to serious breaches.

In addition, the DPO reports to the Risk and Audit Committee on a quarterly basis in relation to day-to-day compliance activity and Yorkshire Cricket's process against its data protection compliance goals.

## **4.3 General Counsel**

Yorkshire Cricket's General Counsel has an important role to play in supporting data privacy governance in relation to the interpretation of data protection law and instructing and liaising with outside counsel where there is a need for expert privacy advice, or in response to Personal Data Breaches. The General Counsel will also be required to negotiate and draft third party contracts which contain compliant data protection terms, applying guidance issued by the DPO.

## **4.4 Managers**

Everyone who holds managerial responsibility at Yorkshire Cricket is responsible for ensuring that the individuals who report to them receive the guidance, resource and training they need to enable them to their jobs in compliance with this Policy