



# South Downs Astronomical Society

President:

Founder and Vice-President: Geoffrey Buss

## **POLICY AND PROCEDURES RELATING TO GDPR**

### **Issue 1 Dated 13 September 2022**

#### **Introduction**

As part of the introduction of the General Data Protection Regulations (GDPR) in May 2018, Southdowns Astronomical Society (SDAS) has reviewed their policies and procedures in relation to the data held (electronically) on their membership. Furthermore, procedures are required to be established to handle the maintenance of the lists, their accuracy and dealing with member request for details on information held the removal of that information.

This document also sets out the steps to be taken should SDAS be notified that a data breach has taken place.

#### **Data Held**

The following data is held on individual members in a central spreadsheet available to committee members:

Members' names, addresses, telephone numbers & email addresses. Also data is held on the status of subscription payments.

Members are uniquely identified by their email address. All members are asked to sign a form at the time of paying subscriptions, giving consent or otherwise to use of their data and participation in the email distribution list.

#### **Data Access and Storage**

The spreadsheet is held under a password protected account document. Access to the spreadsheet is available to Committee members. However, the majority of access will be confined to generating the email distribution list. The data are stored on the paper subscription forms by the SDAS treasurer through the season and by the SDAS Secretary thereafter. The data are also stored electronically on personal computers owned by the SDAS Treasurer and Secretary.

#### **Data usage**

Data is only held for the purposes of maintaining a record of the membership of the society, to ensure the receipt of membership fees and to send notifications to members on matters of agreed interest.

#### **Legal basis under which data is held**

SDAS holds data as if we are a Data Controller. The main duties of a data controller include: -

- the general requirement for greater transparency towards the data subjects all the way from the content of privacy notices to the manner of processing itself, such as being more forthcoming about the rights of data subjects;
- increased requirements for consent to data processing, particularly in relation to data of a sensitive nature;
- being more mindful of the age of the data subject and potentially obtaining consent to the processing of a child's data from an adult, particularly where a child's personal information is



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being processed for the purposes of providing information about society services (such as social media accounts) directly to the child;

- tighter timelines to respond to data subject access requests;
- carrying out privacy impact assessments and appointing data protection officers;
- notifying data breaches to the ICO and to individuals in the case of severe breaches;
- complying with the new rights that individuals have under the GDPR, including the right to be forgotten, the right to restricted processing, the right to data portability and the right to object to automated decision-making and profiling;
- the obligation to pseudonymise or encrypt personal data as an additional security measure in certain circumstances; and
- maintaining records of data processing activities, such as the purposes of the processing and details of third parties to whom the data has been or will be disclosed.

## **Membership**

On joining SDAS new members will be asked to provide their personal data as defined above and confirm their consent. Periodically members will be asked to reconfirm that the data held on them is correct and to the email distribution lists they wish to subscribe to. This will be via a hardcopy printed form where a 'wet' signature is required. Members are free to change their preferences and personal data at any time by contacting the Secretary.

## **Children**

Anyone under age 18 is considered a child and cannot be a member without parental permission. This is obtained at the time of joining where the parent will be required to sign the membership form. Parental approval is also required should confirmation of membership data be required.

## **Member Request for information held**

Should a member request a copy of all information held by the society this must be made by email or by letter to the Secretary. The secretary will reply within 30 days of the request to the email address of the sender (provided this matches with the address held on the society records) or to the address registered with the Society in the case of a request by letter, with a copy of the data above relating to the email or postal address provided.

Data will be provided as a pdf document attached to the email or sent in the post.

## **Member request for deletion of information**

Should a member request that all information held by the society be deleted this must be made by email or by letter to the Secretary. The secretary will reply within 30 days of the request to the email address of the sender or to the address registered with the Society in the case of a request by letter confirming that data above relating to the email address or postal address has been deleted. The member will no longer be considered a member of the society and no refund of fees will be paid. The secretary will retain a record of the email address of any member whose data has been deleted on their request and will ensure that any of their data continues to be deleted should the membership file ever be restored.

## **Membership Lapses**

Should a member's membership of SDAS lapse due to non-payment of subscriptions (e.g. non-payment of subscriptions by the end March the year following their membership, their data will remain on the database, but marked as lapsed. They will no longer receive any communication of any nature from SDAS and their data will be deleted from the database following that calendar year's AGM.

## **Data breach**



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SDAS only holds the minimum amount of data on its membership for the smooth running and communication to members on the society's business. Whilst the data held is not considered sensitive for the purposes of GDPR, SDAS takes seriously any breach of the trust confidentiality which members have given SDAS in the management of their data. SDAS limits access to the membership data to committee members only. Care is taken by all Committee members when sending communications by email to ensure member's addresses are not revealed to other members. To mitigate the risk of this happening during routine communications, a spreadsheet has been developed for use by committee members to generate an appropriate mailing list for each distribution list. This will interrogate the latest copy of the membership file ensuring it is up to date and minimise the risk through human error of members receiving information from list they have opted out of. Email addresses are automatically placed in the bcc location to ensure they are not visible to other members.

If SDAS is notified that a data breach has occurred, it will write to all members, within 72 hours, advising of the circumstances of the breach.

## **Data Protection Impact Assessments (DPIA)**

Data Protection Impact Assessments (DPIAs) help organisations identify, assess and mitigate or minimise privacy risks with data processing activities. DPIAs also support the accountability principle, namely that SDAS comply with the requirements of the General Data Protection Regulation (GDPR) and any steps SDAS have taken to comply.

Given the penalties under GDPR (failure to comply or to adequately conduct a DPIA where appropriate) of up to 4% of an organisation's annual global turnover or €20 million – whichever is greater, therefore SDAS have reviewed the need to conduct a DPIA. Under GDPR a DPIA should be conducted where data processing "is likely to result in a high risk to the rights and freedoms of natural persons". The three primary conditions identified in the GDPR are:

- A systematic and extensive evaluation of personal aspects relating to natural persons, which is based on automated processing, including profiling, and on which decisions are based that produce legal effects concerning the natural person or similarly significantly affect the natural person. This is not relevant to SDAS
- Processing on a large scale of special categoriesii of data or of personal data relating to criminal convictions and offences. This is not relevant to SDAS
- Systematic monitoring of a publicly accessible area<sup>iii</sup> on a large scale. This type of monitoring is a criterion because the personal data may be collected in circumstances where data subjects may not be aware of who is collecting their data and how they will be used. Additionally, it may be impossible for individuals to avoid being subject to such processing in frequent public (or publicly accessible) space(s). This is not relevant to SDAS

In the opinion of SDAS the data held, as stated above, does not fall into any of these categories and as such a DPIA is not considered to be necessary.



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## GDPR Legitimate Interests Assessment, Issue 1.0, dated 13 September 2022

### **What are the legitimate interests**

#### **Why do we want to process the data?**

The data needs to be processed to allow the club to function as a membership organisation. Personal data needs to be collected in order to be able to contact members and to identify whether their SDAS subscriptions have been paid

#### **Who benefits from the processing?**

##### **In what way?**

The member gains from the processing by being able to access the benefits of membership, and other members of the club benefit from the club's continued existence.

#### **Are there any wider public benefits to the processing?**

The public understanding of astronomy in the South Downs area benefits from the continued existence of the Society and its outreach activities.

**How important are those benefits?** They are essential member benefits of belonging to the club.

#### **What would the impact be if we could not go ahead?**

If we couldn't contact members they would miss out on all the benefits of club membership. However, there is a process that allows this for the small number of members who would prefer to miss out rather than provide their contact data.

#### **Would our use of the data be unethical or unlawful in any way?**

No

#### **Apply the necessity test.**

#### **Does this processing actually help further that interest?**

This processing is essential for the club to provide services to members and to fulfil its public outreach role in astronomy.

#### **Is it a reasonable way to go about it?**

It is a reasonable way and one that would be expected by our members.

#### **Is there another less intrusive way to achieve the same result?**

We keep our data processing to a minimum and allow members to provide us with the minimum that allows us to function. We cannot see a less intrusive way of reaching the same outcome.

#### **Applying the balancing test. Considering the impact of our processing and whether this overrides the interest we have identified.**

#### **What is the nature of our relationship with the individual?**

The individual is a member of the club which is a membership organisation.

#### **Is any of the data particularly sensitive**



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**or private?**

None

**Would people expect you to use their data in this way?**

Yes

**Are you happy to explain it to them?**

Yes, we explain it in our Privacy Policy and we draw their attention to this.

**Are some people likely to object or find it intrusive?**

We think this is unlikely, but there are options for them to avoid their data being processed if they do object.

**What is the possible impact on the individual?**

Their contact details are known to the Society so that it can provide them with information regarding SDAS meetings and other information relating to their membership.

**How big an impact might it have on them?**

The impact is unlikely to be unwelcome, but as stated above there are options for them to avoid any such impact if they prefer.

**Are we processing children's data?**

We process the data of children as part of family memberships with their parents'/guardians' agreement.

**Are any of the individuals vulnerable in any other way?**

We do not routinely process data of any other vulnerable persons, but would take appropriate care in isolated cases.

**Can we adopt any safeguards to minimise the impact?**

We can record only the adult members of family memberships, if requested.

**Can we offer an opt out?** People wishing to attend meetings without disclosing full address details can do so by attending as visitors and paying the meeting charges levied on returning visitors.

**On the basis of the above answers, the Committee of South Downs Astronomical Society believe that 'legitimate interest' is a lawful reason for keeping the names, addresses, telephone numbers and email addresses of our current, recent past and prospective members, and whether members have paid their SDAS subscriptions. If the data we keep or the uses we wish to make of the data change, this document will be reviewed.**



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## SDAS Privacy Policy, Issue 1.0 Dated 13 September 2022

### What personal data does South Downs Astronomical Society (SDAS) collect?

The data we routinely collect includes members' names, addresses, telephone numbers and email addresses. We also collect the names and some contact information for visitors to meetings that are prospective members. We collect these data directly from our members when they join the club or are prospective members attending their first meeting. For some of our members we may have additional information such as committee memberships. For all members we maintain data on whether they have paid their SDSDAS subscription.

### How does SDAS use these data?

We use members' data for the administration of your membership and communicating with members of concerning membership and our events.

### Do we share your data with other organisations?

SDAS does not share your data with any other organisations.

### How do we collect your data

Data are collected from members when they join SDAS and complete our subscription form. Data are collected from visitors when they enter their first meeting. [How is your data stored?](#)

Completed subscription forms are stored securely in the private homes of the SDAS Treasurer and/or Secretary.

Members' data in electronic form are stored on the personal computer of the SDAS Treasurer, which have Internet security and anti-virus measures in place.

### Who takes responsibility for ensuring data protection compliance?

We do not have a statutory requirement under the GDPR (General Data Protection Regulations) to have a Data Protection Officer. The Committee of SDAS is the Data Controller. The person who is responsible for ensuring that SDAS discharges its GDPR responsibilities is the SDAS Secretary.

### Who has access to your data?

Committee members of SDAS have access to members' data in order for them to carry out their legitimate tasks for the SDAS.



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## What is the legal basis for collecting these data?

SDAS collects data from members and prospective members that are necessary for the purposes of its legitimate interests as a membership organisation.

## How can people check what data SDAS holds about them?

If you would like to see the name and contact data which SDAS holds, you should contact the SDAS Treasurer.

You can contact us with a 'subject access request' if you would like us to provide you with any other information we hold about you. If you are interested in any particular aspects, specifying them will help us to provide you with what you need quickly and efficiently. We are required to provide this to you within one month.

There is not usually a fee for this, though we can charge a reasonable fee based on the administrative cost of providing the information if a request is manifestly unfounded or excessive, or for requests for further copies of the same information.

## Does SDAS collect any sensitive personal data?

The GDPR uses the term "special categories of personal data" to indicate sensitive personal data. SDAS does not record any such data.

## Can you ask SDAS to remove, limit or correct the data held about you?

You could maintain your club membership with your correct name but with limited contact details. SDAS needs to have at least one method of contacting you. You could, for example, simply maintain an up-to-date email address.

Alternatively, providing you supply your correct name, you can attend SDAS meetings as a returning visitors and pay the returning visitor meeting charges.

If you find some aspect of the data SDAS holds about you to be incorrect, please contact the SDAS Treasurer in person or in writing and ask for the data to be amended.

## How long does SDAS keep your data for and for what purpose?

SDAS keeps members' data after their membership subscription runs out in case they wish to rejoin. However, we will delete any contact data for former members at their request or, in any case, after four years of lapsed membership.

## What happens if a member dies?

Once we have been told of the death of a member or recently lapsed member, by a relative or estate executor, we will delete the contact data we hold for them.

## Where can members see this Privacy Policy?

The SDAS Privacy Policy will be shown on the SDAS website. Paper copies can be provided by the SDAS Secretary.

Approved by the SDAS Committee

13 September 2022