Sileby Photographic Society

Sileby Photographic Society – Privacy Statement

Background and Basis

Sileby Photographic Society (SPS) has chosen to comply with the General Data Projection Regulation (GDPR) on the lawful basis of **Legitimate Interests** (LI). This is chosen from the six bases specified by the Information Commissioner's Office (ICO) because the latter advises that this is the most appropriate basis "*where you use people's data in ways they would reasonably expect, and which have a minimal privacy impact*".

SPS has undertaken a study of its data requirements to satisfy the following criteria suggested by the ICO:

- to identify a legitimate interest;
- to show that the processing is necessary to achieve it; and
- to balance it against the individual's interests, rights and freedom.

It has done this by means of a Legitimate Interests Assessment, which can be found at Appendix 1 and the remainder of this policy statement is written on the basis of claiming Legitimate Interests status.

The first, and probably most important, thing to say is that SPS does NOT share any personal data with any other organisation and does not use it for anything other than SPS members' business.

By undertaking the "*Registration Self-Assessment*" exercise recommended by the ICO, SPS has satisfied itself that it does not need to register with the ICO. The GDPR does not require that a **Data Protection Officer** (DPO) be appointed by SPS; it is optional for this kind of organisation claiming LI status. It was agreed at the Annual General Meeting (AGM) held in May 2018 that, for the sake of transparency, SPS would appoint a DPO and add the requisite duties to the role of the Treasurer. However, the Treasurer may delegate the DPO role to a named individual following approval from the Committee.

The Data

The GDPR requires that we tell members **what data is stored**, **why it is stored** and **how it is accessed**.

The main data set is a **membership list**. It contains name, membership status, postal address, landline and mobile telephone numbers and email address. There follows an explanation of the reasons why each item of data is stored.

- your **name** is the key field, which provides access to the other fields;
- your **membership status** is required to establish the membership fee payable and if it has been paid;
- your **postal address** is used for distributing annual Programmes to members who did not attend any of the last few meetings of the season where they were available for collection;
- your **telephone numbers** are used should a meeting have to be cancelled at very short notice;
- your **email address** is used for sending out general information (see separate section on emails).

In addition, a separate on-going **attendance list** is held. Essentially a "tick" against each member's name for each meeting attended, this list is used to allow SPS to mark notable attendances, such as when a member reaches his or her thousandth meeting.

As part of this statement, we need to tell you **who has access** to this information. The Committee should like to preface this by making the following important observations, raised and agreed at the 2018 AGM. Sileby Photographic Society exists solely for the benefit of its members. Firstly, if we all subscribe to the overall ethos that the club and its individual members derive no financial or other benefit from storing and processing the data, then we should all be able to accept that the data that the society holds is solely for the direct benefit of its membership as a whole. Secondly, if we all accept that the officers of the club are volunteers and are "doing their best" for the club and therefore its membership, then we should be able to accept that **Committee members have read-only access** to the membership list for the purposes detailed above. Only one Committee member is empowered to **update the data**, namely the Treasurer.

Additionally, only the **Treasurer sees and updates the aggregated attendance list**.

Any member can refuse or withdraw permission for his or her data to be stored.

Electronic Mail (email)

The use of **email** as a channel of communication is important. It is desirable to seek a way of sending emails to the entire membership without revealing members' email addresses. The 2018 AGM agreed that we should use an **automated and centralised mailing list** in order to achieve this goal. If you wish to subscribe to the email list, you can do so by visiting the sign-up page, accessible through https://tinyurl.com/yyj3mc97. Once subscribed, you will receive instructions on how to change your mailing list preferences, including how to unsubscribe. You can also access your preference page by logging in through https://tinyurl.com/y7dtkr3w. Put simply, you and only you will be in control of your own subscription.

From the point of view of this Privacy Statement, when subscribing to the email list you are making the following **statement**, which you will note also **places obligations** on Sileby Photographic Society should you decide to unsubscribe.

"*I hereby confirm that I wish to receive emails from Sileby Photographic Society (SPS). I understand that my name and/or email address will never be passed on to a third party or used for any purpose other than SPS business. If I wish to stop receiving said emails at any time, then I will unsubscribe myself from the list at which time SPS will remove my details from the mailing list.*"

Who Has Access to the Email List?

Although the mailing list is maintained automatically it requires a **list administrator**, who receives and approves subscription requests and undertakes other administrative tasks. In order to carry out this role, the list administrator will need to be able to **view and modify the mailing list**. The DPO will propose a named member of the society, to be approved by the Committee, to take on the role of list administrator.

The list administrator will also create and maintain other mailing lists that, from time to time, are deemed appropriate by the Committee. These will be sub-lists of the membership mailing list, extracted manually. One such list could constitute Committee members, another will be a list of members who participate in competitions. The automated list manager will send welcome emails to members who are subscribed to these sub-lists and, as with any other list, they are free to unsubscribe.

Any SPS member who is subscribed to a list can send an email to all subscribers by using the email address sps@silebyps.org.uk. The email addresses of the sender and the recipients are **hidden** even when any recipient replies to the email. Thus, members of the mailing list cannot see its contents. Some exceptions to this apply to sub-lists and Appendix 2 provides examples of the email list usage along with details of when your email address could be revealed when using any of these sub-lists.

SPS Web Site

As far as the web site is concerned, we need simply to let you know that no personal data is collected from visitors to the site. The Privacy Statement specific to the Web site can be found at Appendix 3.

Last update: August 2018

Appendix 1 - Legitimate Interests Assessment

The Information Commissioner's Office (ICO) has issued guidelines for organisations wishing to consider their Data Protection processes on the *Legitimate Interests* basis. Such organisations are recommended to use a three-part test to assess whether it applies. This is referred to as a Legitimate Interests Assessment (LIA).

An LIA is a type of light-touch risk assessment based on the specific context and circumstances, which helps the organisation ensure that its processing is lawful. Recording the LIA and undertaking an annual review at the first Committee meeting of each season will also help to demonstrate compliance in line with the organisation's on-going accountability obligations under Articles 5(2) and 24 of the GDPR.

Firstly, we **identify the legitimate interest(s)** by considering:

- Why does the organisation want to process the data – what is it trying to achieve?
    - *to be able to keep in touch with the membership*
- Who benefits from the processing and in what way?
    - *members will receive information on current operational discussions, offers of equipment, social activities, changes to the programme etc.*
- Are there any wider public benefits to the processing?
    - *no*
- How important are those benefits?
    - *members would derive reduced benefit from their membership without the above*
- What would the impact be if the organisation could not go ahead?
    - *members would be "in the dark"*
    - *keeping track of who has or has not paid membership fees would be impossible*
- Would the organisation's use of the data be unethical or unlawful in any way?
    - *no*

Secondly, we **apply the necessity test** by considering:

- Does this processing actually help to further that interest?
    - *yes*
- Is it a reasonable way to go about it?
    - *yes*
- Is there another less intrusive way to achieve the same result?
    - *no*

Thirdly, we **undertake a balancing test**. In this, we consider the impact of processing the data and whether this overrides the interest we have identified. Here, we think about the following:

- What is the nature of the organisation's relationship with the individual?
    - *individuals are members of Sileby Photographic Society*
- Is any of the data particularly sensitive or private?
    - *no*
- Would people expect the organisation to use their data in this way?
    - *yes*
- Is the organisation happy to explain it to them?
    - *yes, this has been done through the publication of a Privacy Statement*
- Are some people likely to object or find it intrusive?
    - *no; the membership has already been briefed and voted objections to be highly unlikely*
- What is the possible impact on the individual?
    - *nothing adverse*
- How big an impact might it have on them?
    - *minimal*

- Are you processing children's data?
  - *no*
- Are any of the individuals vulnerable in any other way?
  - *no*
- Can the organisation adopt any safeguards to minimise the impact?
  - *yes; a given member can refuse permission for data to be stored and/or emails to be sent*
- Can the organisation offer an opt-out?
  - *yes; a given member can refuse permission for data to be stored and/or emails to be sent*

LIA last update: July 2018
LIA next review: August 2027

Appendix 2 – Sending and Receiving Emails: who can you see and who can see you?

Any subscriber to the main SPS mailing list can send a message to all other subscribers using the email address sps@silebyps.org.uk, whilst being unable to see the recipients' addresses. Nobody else can send to this address.

The main email list is primarily intended to be used in a **for information** role, for example to inform members that a particular meeting has been cancelled or rearranged. Generally, therefore, the sender is not expecting members to reply to the message. However, if another subscriber decides to reply to any message, that reply will go to all subscribed members of the SPS list. In the case where a response is required, the sender will provide an email address to which you can reply; this will be found in the body of the message. Most email clients will permit users to choose an embedded email address as a reply address. Your email address will remain hidden even when replying, so you will need to include your name within the body of your reply. The Committee sub-list has the same characteristic, but this time, because it is intended to be used more as a discussion forum, it is appropriate that replies go to all subscribers.

The sub-list of members who participate in competitions has a different role and, therefore, a different characteristic in this regard. An email could be sent by a Competition Secretary **calling for work** for the annual Panel Competition, for example. In this case, it would be inappropriate for your reply containing that work to be sent to every subscriber to the list. The automated mailing list system will, in this case, reveal the sender's email address so that your reply will go directly to that person. In general, this email address will be an "*@silebyps.org.uk*" one. In the specific example above, it will be "*compsec@silebyps.org.uk*". You may send a message to an address such as this, but as with any "ordinary" email address, your email address will be revealed to any recipient(s).

Appendix 3 - Web Site Privacy Statement

The following notice is posted on the society's Web site.

Privacy Statement

No personal information that could lead to the identification of individual visitors to this site is requested. Further, no cookies or other files are deposited on visitors' devices.

The Web server that hosts this site does, however, log the IP address of every page request. This is the default behaviour of most Web servers to assist with keeping the site safe and secure. An IP address on its own cannot, in most situations, be used to identify an individual and in any event not without leaving behind incriminating evidence of any such attempt. These logs are deleted at the end of the month following the month to which they pertain.

The society has set up a Facebook group for members only, who can apply to join by clicking the link on this page. Members doing so will be entrusting their data protection rights to Facebook.

Last update: May 2020