



## TOMAHAWK OWNERS ASSOCIATION

### POLICY TOWARDS THE MANAGEMENT AND CONTROL OF DATA

#### ***1. INTRODUCTION***

This document sets out the policies and practices followed by the Officers and Members of the Tomahawk Owners Association (TOA) in managing both paper and electronic data. It is designed to meet the requirements of the General Data Protection Requirements (GDPR) that enters force on 25th May 2018.

The TOA a not-for-profit owners' association and depends upon the voluntary services of Members to function. It has no permanent employees.

The purpose of the TOA is to share information between Members, to hold rallies and to increase the benefits of owning a Tomahawk 25 yacht.

Good communications are essential. From the Association's perspective this is to provide the opportunity to contact other Members, to provide useful advice on Members' projects and keep Members informed of activities. A regular printed Newsletter is posted to home addresses or sent by email.

The elected Officers of the Association are : the Commodore, Vice Commodore, Honorary Secretary, Honorary Treasurer, Honorary Social Secretary, Publications Editor, Technical Officer, other elected Members and together these form the TOA Committee.

In this document the Controller is 'The TOA Committee' and is jointly responsible for the upkeep of this document.

#### ***2. LAWFUL BASIS***

2.1 The lawful basis for TOA storing and processing electronic data is:

**Legitimate interest:** TOA is a members' club. As such it is essential there is a record of who is a Member, together with relevant details for their participation in the Association's activities. Keeping this data is necessary to ensure that only Members or their friends enjoy the benefits of membership and that sufficient data is available for annual accounts to be made available for acceptance by the membership.

Many of the events organized by TOA, such as social gatherings and sailing rallies are part of the general Members' club activities.

### **3. USE AND STORAGE OF DATA**

3.1 Details of:

- the data holding,
- the uses to which it is put,
- how it is stored,
- how members can check and amend their information

are explained in full in the Annex A to this document.

3.2 TOA will seek positive confirmation that Members understand and accept the Association's Legitimate Interest in processing the data that individuals have supplied.

3.3 TOA will take steps to ensure that any data stored on a remote server will meet the requirements of the GDPR.

### **4. Impact on Members**

4.1 As the data held by the Association is very basic being only Names, Address, Phone Numbers and Email addresses etc., See Annex A, any breach of our security would not divulge data that is not currently available from other sources.

4.2 For financial data, we do not process any direct debits and so do not hold any banking details in the Association's database.

### **5. SHARING DATA**

5.1 Any possible sharing of data or use of remote servers in future will follow GDPR guidelines and any contract will cover the points raised in Annex B.

5.2 Should a TOA Member decide that they wish to opt out of any sharing of data outside the Association they will be given the opportunity to do so but also the consequences of so doing will be fully explained.

### **6. SECURITY BREACHES**

6.1 If the Controller is advised that there has been a breach of security and an unauthorised person or organisation may have accessed the information, members will be informed within 72hrs of the Controller receiving that advice.

## **ANNEX A DATA HOLDINGS, USAGE AND STORAGE.**

### ***1 Data held***

#### ***1.1. In the TOA records***

The data held is required to enable the Association to function as described in our Constitution.

When a Member joins (s)he provides the association with:

- Their Name, Address and Email address.
- Their Phone Number(s). They can provide Home, Mobile or Work numbers.
- Spouse/Partner's Name may optionally be held. (As a contact in case of emergencies.)
- Details of their Boat including, sometimes, one or more photographs.
- Other sailing club memberships, and sailing areas

#### ***1.2. Other data***

- Emails from Members containing personal data which are part of the Committee members' email inboxes.
- Paper correspondence held by Committee members, received as part of their management function and stored at their home.

### ***2 Use of data by the Association***

- Names and addresses are used to send out some of the newsletters (which is the main means of communication with the member.)
- Email is used for most communication. This includes sending out newsletters and reminders of monies due to and received by the Association.
- Name, Email and Phone Number(s) are also given to our Committee members for particular activities organised by the TOA.
- A List of all Members associated with the TOA is available to all Members. This list shows Name, Boat Name, sailing area, email address and telephone numbers.
- Guidance for Committee members on the storage and disposal of Personal Data is held at Annex C to this document.
- Paper correspondence sent to a Committee member as part of the function managed by that member, e.g. change of personal data notified to the Committee, or banking details sent to the Treasurer for reimbursement of expenses on behalf of the Association.

### ***3 How the Association stores the data***

The data is stored primarily on the home computers of members of the Committee.

The TOA has a website which can be accessed through various search engines. The front page gives contact details of the Association and a blank membership application form.

A Members' Area which is password protected contains details of Member's boats and their locations, activities and projects.

Paper correspondence held by a Committee member at their home will be kept securely and destroyed in keeping with the Associations's data retention guide lines.

### ***4 Data Editing and opt out options***

Members can request and/or modify data held by contacting the TOA Honorary Secretary.

### ***5 Accounting functions***

As all monies paid to the Association are by either Electronic Transfer from the Member or by cheque and no personal banking details are held on the Associations's database, there is no risk of Member's exposure from the Associations's point of view.

The Association's Honorary Treasurer receives details of electronic payments from Members via the Association's bank statements. Payments in the form of cash or cheques are banked using payment slips and an electronic record of such payments is maintained. Payments to Members (or to others) are made by cheque and details of these are included in the bank statements. This is the standard service provided by the Association's bank and is not part of the software the Association's Treasurer uses. Therefore the risk to Members is the same as for them using their own bank's processes to make a payment to the TOA.

## **ANNEX B POLICY ON CONTRACTING WITH THIRD PARTIES**

In the recitals set out below “controller” and “processor” are those persons defined in the GDPR regulations. For the TOA the controller is as written in section 1 of the policy document. Any contract between the Association and a third party which involves the sharing of data will include the following details:

- B1 the subject matter and duration of the processing;
- B2 the nature and purpose of the processing;
- B3 the type of personal data and categories of data subject; and
- B4 the obligations and rights of the controller.

The processor must :

- B5 only act on the written instructions of the controller (unless required by law to act without such instructions);
- B6 ensure that people processing the data are subject to a duty of confidence;
- B7 take appropriate measures to ensure the security of processing;
- B8 only engage a sub-processor with the prior consent of the data controller and a written contract;
- B9 assist the data controller in meeting its GDPR obligations in relation to the security of processing, the notification of personal data breaches and data protection impact assessments;
- B10 delete or return all personal data to the controller as requested at the end of the contract;
- B11 submit to audits and inspections, provide the controller with whatever information is needed to ensure that they are both meeting their Article 28 obligations, and tell the controller immediately if asked to do something infringing the GDPR or other data protection law of the EU or a member state.
- B12 state that nothing within the contract relieves the processor of his/her own direct responsibilities and liabilities under the GDPR; and
- B13 reflect any indemnity that has been agreed.

**ANNEX C**  
**GUIDANCE TO MEMBERS OF THE ASSOCIATION'S MANAGEMENT**  
**COMMITTEE ON THE ACCESS, STORAGE AND DISPOSAL OF**  
**PERSONAL INFORMATION**

Members are permitted to hold electronic files in connection with their TOA activities. There are a number of implications to this:

C1 The TOA requests that Members are discreet with any printed information. Printouts should be destroyed when their purpose has been fulfilled.

C2 If electronic files are saved on a Member's computer, it is suggested that they are saved to an appropriate folder which is password protected. If a file is going to be used over any significant period, it should be given a password :

C2 (i) In Excel or Word, Save As, (give file name and folder), Click on Tools (at bottom), General Options, and put a password in the Password to Open Box, then click OK.

C2 (ii) Using an ipad or iphone go to [https://support.apple.com/kb/PH23929?locale=en\\_GB&viewlocale=en\\_US](https://support.apple.com/kb/PH23929?locale=en_GB&viewlocale=en_US) and follow the instructions.

C2 (iii) MAKE A NOTE OF THE PASSWORD!! IT IS NOT RETRIEVEABLE IF IT IS FORGOTTEN.

C3 Take care of the TOA's data as if it were personal bank details.

C4 Historical printed data may be kept for a maximum period of 7yrs, in line with the retention policy.