

## **PFA Independent Review (“the Review”)**

### **Privacy Notice to Contributors: February 2020**

1. This notice explains how the PFA Independent Review (“the Review”) collects and uses personal information. The Review is administered by Sport Resolutions. The Panel conducting the Review is chaired by Naomi Ellenbogen QC and the other panel members are Lydia Banerjee and Ben Smiley (together – ‘the Panel Members’).
2. Sport Resolutions, and each of the Panel Members, is a data controller responsible for your personal information processed for the purposes of the Review, in accordance with the Review’s Terms of Reference (attached). This Privacy Notice informs you of the nature of the personal information that Sport Resolutions and each of the Panel Members collects about you and how they process it in line with their obligations under the General Data Protection Regulation (“GDPR”) and the Data Protection Act 2018.
3. Sport Resolutions’ registered address is Re: PFA Independent Review, Sport Resolutions, 1 Salisbury Square, London, EC4Y 8AE and its registration number is 03351039.
4. Each of the Panel Members’ registered address is as set out below:
  - 4.1. Naomi Ellenbogen QC, Littleton Chambers, 3 King’s Bench Walk North, Temple, London EC4Y 7HR, registration number Z4655361;
  - 4.2. Lydia Banerjee, Littleton Chambers, 3 King’s Bench Walk North, Temple, London EC4Y 7HR, registration number Z1720172;
  - 4.3. Ben Smiley, 4 New Square, Lincoln’s Inn, London WC2A 3RJ, registration number Z2953383.
5. If you have any questions about use of your personal data by Sport Resolutions or by any of the Panel Members, or want to exercise your rights set out in this Privacy Notice, please contact Sport Resolutions by sending an email to [pfareview@sportresolutions.co.uk](mailto:pfareview@sportresolutions.co.uk).

#### **The personal information collected**

6. Sport Resolutions and/or each of the Panel Members is collecting personal information from you solely for the purposes of the Review. The Review will collect information about the PFA, its governance, how it operates and other matters within the Terms of Reference of the Review. The Review will also collect and retain contact details. The records that Sport Resolutions and/or the Panel Members hold include personal information, which may include sensitive personal information.
7. When you write to us, we store your name, e-mail and/or postal address and any other personal information with which you choose to provide us. If we meet in person, or by video-link, or speak on the telephone, we store and process any notes and recording of the personal information with which you provide us during our meeting or conversation.

## **The purposes of processing personal information**

8. We process your personal information solely for the purposes of carrying out the objectives of the Review, in accordance with its Terms of Reference. We collect it in order to gather information relevant to the Review. We store and analyse it in order that the Panel Members can produce a report, and, thereafter, in order to deal with any issues which might arise as a result of the Review. Personal information is used by the Review in a number of ways - for example, to gather evidence, to facilitate access to the Review, and to communicate with you and keep you updated on the progress of the Review. Your personal information will be used in accordance with the law, including our contractual obligations in connection with the Review.

## **Confidentiality**

9. All contributions to the Review will be treated by us in strict confidence. Your personal information will only be shared with a confidential independent transcription service, for the purposes of enabling it to provide transcripts to Panel Members for the purposes of the Review. Otherwise, your personal information will not be disclosed to any individual. Any references to your information in the report prepared by Panel Members will be anonymised, unless you expressly consent to being identified.

## **How the Review collects personal information**

10. Most of the personal information which the Review processes is provided directly by you (or through your legal representative) for one or more of the following reasons:
  - 10.1. You want to give evidence to the Review;
  - 10.2. You have been asked to provide evidence to the Review, whether in the form of a written and/or oral statement and/or documents;
  - 10.3. You have provided evidence to the Review;
  - 10.4. You have responded to the consultation on the Terms of Reference;
  - 10.5. You have contacted the Review by email, video-link, telephone and/or letter;
  - 10.6. You wish to attend, or have attended, a meeting or interview with Sport Resolutions and/or one or more of the Panel Members;
  - 10.7. You are representing your organisation in relation to the Review.
11. The Review may also receive information about you in other ways. For example, as part of its investigation the Review will request access to organisational records, such as those filed and held by the PFA. Other individuals may also include information about you in their evidence to the Review. All information will be provided to the Review on a voluntary basis, whether or not at the invitation of Sport Resolutions and/or the Panel Members.

## **Lawful bases for processing**

12. The different legal bases under which we are able lawfully to process your personal information are that:
  - 12.1. Processing of the personal information is necessary for the purposes of our legitimate interest in carrying out the Review in order to publish a report, in accordance with the Terms of Reference; and
  - 12.2. Processing of the personal information is necessary for the performance of a task carried out by us in the public interest, namely carrying out the Review.

## **Security of personal information**

13. Personal information will be stored on our own and/or third party outsourced IT services, cloud-based storage and document storage providers on terms whereby it is security protected and where we have an appropriate processing agreement (or similar protections) in place. Our arrangements with those third parties do not permit transfer outside of the EEA. Any hard copy information will be stored in locked rooms.
14. We are committed to taking all reasonable and appropriate steps to protect the personal information that we collect from you from improper use or disclosure, unauthorised access, unauthorised modification and unlawful destruction or accidental loss. We have taken and shall take appropriate information security, technical, storage and organisational measures to such end, including measures to deal with any suspected data breach. All those third party outsourced IT services, cloud-based storage and document storage providers who are associated with the processing of your information are obliged to respect the confidentiality of your personal information, as is the independent transcription service.

## **The period for which personal information will be stored**

15. We shall process your personal information throughout the course of the Review. Thereafter, we shall keep such information for such period as may be permitted or required by law (including data protection law) where we consider it necessary to do so for the purpose of a legitimate interest. No later than 12 months after the Review is concluded, we shall determine whether to retain the personal information for any longer period. We shall consider the volume, nature and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure, the purposes for which we need to process such information and whether we can achieve them through other means.
16. At the end of such 12-month period (or any longer period which we may so determine to be necessary), we shall take all necessary and appropriate steps to destroy your personal information or otherwise put it beyond use.
17. If personal information that you provide to us is only useful for a short period (for example, any temporary contact details or other information which we are able to determine does not need to be kept during the conduct of the Review) we may delete it before the time periods set out above.

## **What are your rights?**

18. You have no obligation to provide your personal information to us for the purposes of the Review. If you choose to provide your personal information to us, you have the right to request:
  - 18.1. access to your personal information, and the provision of copies;
  - 18.2. rectification of inaccurate or incomplete personal information;
  - 18.3. erasure of your personal information;
  - 18.4. restriction of processing of your personal information; and
  - 18.5. data portability, i.e. transfer of your personal information.
19. If you wish to exercise any of these rights, please contact us at [pfareview@sportresolutions.co.uk](mailto:pfareview@sportresolutions.co.uk). Data protection legislation provides for the circumstances in which we must agree to such requests. If we refuse, we shall explain the legal basis for refusal. We may keep a record of your communications with us, to help us to resolve any issues which you raise.
20. You also have the right to object to our processing your personal information, where we are processing it because it is necessary for our legitimate interests.

## **Your right to lodge a complaint with the supervisory authority**

21. If you have a concern about any aspect of our privacy practices, including the way in which we have handled your personal information, you can report it to the UK Information Commissioner's Office (ICO). You can find details about how to do this on the ICO website at <https://ico.org.uk/concerns>, or by calling its helpline on 0303 123 1113.

## **Changes to this Privacy Notice**

22. We may make changes to this Privacy Notice from time to time. To ensure that you are always aware of how we use your personal information, we shall update this Privacy Notice where we need to reflect any changes to our use of your personal information. We may also make changes, as required, to comply with changes in applicable law or regulatory requirements. We shall notify you of any such changes by e-mail, or such other means of communication as may be requested by you.