

# FOOTBALL ASSOCIATION OF WALES LIMITED

## PRIVACY NOTICE



### **Introduction**

The Football Association of Wales Limited ("the FAW", "we", "our" and "us") respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

Please use the Glossary and the defined terms in the FAW Rules to understand the meaning of some of the terms used in this privacy notice.

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## **1. Important information and who we are**

### **Purpose of this privacy notice**

This privacy notice aims to give you information on how the FAW collects and processes your personal data.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

## Controller

The FAW is the controller and responsible for your personal data.

The FAW is a single legal identity but is made up of various departments. Collectively the FAW is responsible for the proper administration of football in Wales in accordance with the FAW's own Rules and Regulations, its obligations in law and in order to comply with the rules and regulations imposed upon it by FIFA and UEFA. We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the data privacy manager using the details set out below.

## Contact details

Our full details are: The Football Association of Wales

Full name of legal entity: The Football Association of Wales Limited

Name or title of data privacy manager: Phil Draper – Legal Compliance Executive

Email address: pdraper@faw.co.uk

Postal address: Vale Resort, Hensol, Vale of Glamorgan CF72 8JY

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

## Changes to the privacy notice and your duty to inform us of changes

This version was last updated on 1 October 2020.

This privacy notice may be updated periodically and without prior notice to you to reflect changes in our information practices or relevant laws. We will post a notice on [faw.cymru](http://faw.cymru) to notify you of any substantive changes to the way we collect and use your information.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

## 2. The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, maiden name, last name, your photograph, username or similar identifier, marital status, title, date of birth, country of birth and gender.
- **Contact Data** includes home address, business address, email address, telephone numbers and your next of kind contact details.

- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you.
- **Device Data** includes the type of mobile device you use, a unique identifier for example, your device's IMEI number, the MAC address of the device's wireless network interface, the type of browser you use or the mobile phone used by the device.
- **Technical Data** includes IP address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- **Profile Data** includes your username and password, purchases or orders made by you, your interests, participation history / statistics, preferences, feedback, and survey responses.
- **Usage Data** includes information about how you use our website, products, and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We may also collect, use, and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We may collect **Special Categories of Personal Data** about you. This may include information about your health where this is strictly necessary and in accordance with our Rules and Regulations or in order to comply with our obligations to FIFA or UEFA. We may also collect information about criminal convictions and offences in order to comply with our obligations in relation to safeguarding.

#### **If you fail to provide personal data**

Where we need to collect personal data by law, under the terms of a contract we may have with you or in relation to our legitimate interest in administering football in Wales in accordance with our Rules and Regulations and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you or administer football in Wales in accordance with our Rules and Regulations; in which case, you may not be able to be involved in football organised by the FAW but we will notify you if this is the case at the time.

### 3. How is your personal data collected?

We use different methods to collect data from and about you, including through:

- **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms (in writing or electronically) on the FAW's football management system or by submitting any other applications to the FAW or by corresponding with us by post, phone, email or otherwise. This includes but is not limited to personal data you provide when:
  - you apply to be set up as an authorised user on the FAW's football management system.
  - you apply for and/or purchase event tickets or hospitality packages;
  - you create an account on our website or affiliated websites;
  - you apply for our products or services;
  - your details are registered as a Player, Coach, Staff Member, Match Official, Club/League/Area Association Official, or Intermediary on the FAW's football management system;
  - your details and playing statistics are updated and subsequently displayed on the Cymru Football mobile application and other relevant websites;
  - you complete and/or apply for an FAW administered course or training event;
  - you request marketing to be sent to you;
  - you give us some feedback; or
  - you apply for a safeguarding scheme card.
  
- **Automated technologies or interactions.** As you interact with our website or mobile applications, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies.
  
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:
  - Identity and Contact Data from publicly available sources such as Companies House and the Electoral Register based inside the EU;
  - Area Associations (as defined in the FAW Rules);
  - Leagues administered by the Area Associations;
  - Directly Affiliated Leagues (as defined in the FAW Rules);
  - Clubs of which you are a member or are registered as a Player;
  - the Disclosure and Barring Service;
  - the FAW Trust;
  - FIFA, UEFA, or any other sports governing body that controls data about you; and
  - United Kingdom Anti-Doping.

#### 4. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you;
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests;
- Where we need to comply with a legal or regulatory obligation.

Please see below to find out more about the types of lawful basis that we will rely on to process your personal data.

Generally, we do not rely on consent as a legal basis for processing your personal data other than in relation to third party direct marketing communications via email or text message, obtaining information about your health or obtaining a disclosure certificate from the Disclosure and Barring Service. You have the right to withdraw consent at any time by contacting us.

#### Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate. Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
To register you as a member, Player, Match Official, Coach, Staff Member, Intermediary, Official of a Club, League or Area Association.  To register you as an authorised user of the FAW's football management system.  To install the Cymru Football mobile application and register you as a user.	(a) Identity (b) Contact (c) Financial (d) Device	Your consent  Performance of a contract with you.  Necessary for our legitimate interest in administering football in Wales and in accordance with our Rules and Regulations.
To display your (and your team's) playing history and statistics on the Cymru Football mobile application and on the FAW's website.	(a) Identity (b) profile	Your consent  Performance of a contract with you  Necessary for our legitimate interests in administering football in Wales and developing the game.

<p>To process the following:-</p> <p>(a) Manage payments, fees, and charges</p> <p>(b) Collect and recover money owed to us</p> <p>(c) Ticket sales and hospitality packages</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Financial</p> <p>(d) Transaction</p> <p>(e) Marketing and Communications</p>	<p>Your consent</p> <p>Performance of a contract with you</p> <p>Necessary for our legitimate interests (to recover debts due to us)</p>
<p>To manage our relationship with you which will include:</p> <p>(a) Notifying you about changes to our terms or privacy policy</p> <p>(b) Notifying you of your exclusive membership benefits</p> <p>(c) Asking you to leave a review or take a survey</p> <p>(d) Notifying you where have requested to receive notifications.</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(d) Profile</p> <p>(e) Usage</p> <p>(f) Marketing and Communications</p>	<p>Your consent</p> <p>Performance of a contract with you</p> <p>Necessary to comply with a legal obligation</p> <p>Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)</p>
<p>To investigate and/or initiate disciplinary proceedings for an alleged breach of the FAW's Rules and/or Regulations</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Financial</p> <p>(d) Transaction</p>	<p>Your consent</p> <p>Performance of a contract</p> <p>Necessary for our legitimate interest in administering football in Wales and in accordance with our Rules and Regulations.</p>
<p>Collect data for Judicial Bodies</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Transaction</p>	<p>Your consent</p> <p>Performance of a contract</p> <p>Necessary for our legitimate interest in administering football in Wales and in accordance with our Rules and Regulations.</p>
<p>To obtain DBS certificates</p>	<p>(a) Identity</p> <p>(b) Contact</p>	<p>Your consent</p> <p>Performance of a contract with you</p> <p>Necessary for our legitimate interest in administering football in Wales and in accordance with our Rules and Regulations</p> <p>Consent</p>
<p>To administer applications for Club Licensing and Club Accreditation</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Financial</p> <p>(d) Transaction</p>	<p>Your consent</p> <p>Performance of a contract with you</p> <p>Necessary for our legitimate interest in administering football in Wales and in accordance with our Rules and Regulations</p>

To administer applications for affiliation to the FAW	(a) Identity (b) Contact (c) Financial	Your consent  Performance of a contract with you  Necessary for our legitimate interest in administering football in Wales and in accordance with our Rules and Regulations
To investigate concerns, allegations, or referrals with regards to child/adult at risk protection	(a) Identity (b) Contact (c) Profile (d) Transaction	Your consent  Necessary for our legitimate interest in administering football in Wales and in accordance with our Rules and Regulations  Necessary to comply with our legal obligations in relation to safeguarding.
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage (c) Device	Necessary for our legitimate interests to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications	Necessary for our legitimate interests (to develop our products/services and grow our business)

### **Marketing and Third-party marketing**

We will get your express opt-in consent before we use or share your personal data with any company outside the FAW for marketing purposes.

#### **Opting out**

You can ask us to stop sending you marketing messages at any time by contacting us at any time. Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us in order to comply with our Rules and Regulations or those of FIFA, UEFA, and any other appropriate body.

Where you have provided us with consent to be contacted by third parties for marketing purposes you can withdraw this consent at any time. Please see below.

## **Change of purpose**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **5. Disclosures of your personal data**

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above to External Third Parties as set out in the Glossary.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## **6. International transfers**

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see European Commission: Adequacy of the protection of personal data in non-EU countries.
- We may transfer the personal information we collect about you outside the EU in order to comply with our legal and regulatory obligations to UEFA, FIFA or any other appropriate body involved in the governance of football in Wales or elsewhere. Depending on where that information is transferred there may or may not be an adequacy decision by the European Commission in respect of that country. This means that a country to which we transfer your data may not be deemed to provide an adequate level of protection for your personal information. However, to ensure that your personal information does receive an adequate level of protection we will only transfer that information which is strictly necessary to comply with our legal or regulatory obligations and only to those parties that have a right to receive that information.
- Where we use certain service providers, we may use specific agreements approved by the European Commission which give personal data the same protection it has in Europe. For further details, see European Commission: Model contracts for the transfer of personal data to third countries. We will seek to ensure that these agreements comply with the minimum requirements of the GDPR.
- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US. For further details, see European Commission:



EU-US Privacy Shield. We will seek to ensure that these agreements comply with the minimum requirements of the GDPR.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

## 7. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used, or accessed in an unauthorised way, altered, or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instruction and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breaches and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 8. Data retention

### How long will you use my personal data for?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data, whether we can achieve those purposes through other means and the applicable legal requirements.

In some circumstances you can ask us to delete your data: see *Request erasure* below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

## 9. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. You have the right to:

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object

to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us.

### **No fee usually required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive, or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

## **Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## **10. Glossary**

### **LAWFUL BASIS**

**Legitimate Interest** means the interest of the FAW in administering football in Wales in accordance with our own Rules and Regulations, the rules and regulations of FIFA and UEFA and for conducting and managing the FAW to enable us to give you the best service possible. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

### **THIRD PARTIES**

#### **External Third Parties**

- Area Associations (as defined in the FAW Rules).
- Leagues that are administered by the Area Associations and/or the FAW.
- Directly Affiliated Leagues (as defined in the FAW Rules).
- Football Clubs who are governed by the FAW.
- FIFA, UEFA, and national governing bodies for football who may reasonably require your personal data for the proper administration of football in that country.
- Service providers based inside the EEA who provide IT and system administration services including, but not limited to, Ticketmaster or First Sport International.
- With our event partners so that they can verify authenticity of tickets that have been sold and to control access to such events in order to fulfil our contractual obligations to you.
- Professional advisers including lawyers, bankers, auditors, and insurers based inside the EEA who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities based in the United Kingdom who require reporting of processing activities in certain circumstances.
- Disclosure and Barring Service.
- Individual or bodies appointed by the FAW including, but not limited to, Disciplinary Panel and Appeal Panel members or independent Club licensing committees.

- Any sports arbitration service nominated by the FAW from time to time to deal with independent arbitration in accordance with the Rules of the FAW.
- Individuals or bodies appointed or engaged by the FAW to provide media services including, but not limited to, reporting on and promotion of the Welsh Premier League and other directly affiliated leagues as defined in the FAW Rules.
- The Police, Child Support Agency, or any other body with statutory authority to obtain personal data from us.

October 2020