

# KICKSTART GATEWAY PRIVACY NOTICE

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## 1. What is the purpose of this document?

EFL Trust collect some information about you when you take part in our projects. We are committed to keeping your information safe. This privacy notice describes what EFL Trust will do with the information we collect about you, and what your rights are.

This notice applies to participants of the Kickstart Scheme employed at an organisation where EFL Trust are the approved Gateway.

## 2. Where do we obtain your personal data from?

The sources of information we process about you:

- From the Community Club Organisation that employ you
- Directly from you
- From the DWP

## 3. What kind of information do we hold about you, and why?

We will process the following information about you:

Information that enables us to administer the Kickstart scheme:

- Name
- Unique ID
- Date Of Birth
- Job Role
- Date Started at employer
- Information relating to training and development

Information that enables us to understand the impact of the programme:

- Responses to surveys including information about your self-reported work readiness.

*We also collect further information about you that is more sensitive by law – this is known as special category data. We will only process the information below where we have your consent, on an entirely voluntary opt-in bases, and we have taken steps to minimise the likelihood that you are identifiable from any such information you provide. We will process the following special category information about you:*

Information that enables us to monitor whether CCOs are providing Kickstart opportunities to a diverse range of people:

- Disability status/Long term health condition
- Ethnicity

Information that enables us to understand the impact of the programme:

- Responses to surveys including information about your mental health and wellbeing.

#### 4. How will this information be processed lawfully?

We will only process personal information when the law allows us to. Depending on the processing activity, we rely on the following lawful bases:

1. Article 6(1)(a) Where you have given clear consent for us to process your personal data for a specific purpose.
2. Article 6(1)(b) Processing is necessary for the performance of a contract to which the data subject is party
3. Article 6(1)(f) Where it is necessary for our legitimate interests, your legitimate interests, or those of a third party, and your interests and fundamental rights do not override those interests.

Our legitimate interests are to ensure all employers on the Kickstart scheme provide a service that meets the requirements on the Kickstart Scheme.

Special category data:

In order to process special categories of information about you, we are also required to meet a further lawful basis for processing. The lawful bases relied upon for this are:

- Article 9(2)(a), where you have provided your unambiguous, explicit consent

Consent can be withdrawn at any time by e-mailing [DPO@efltrust.com](mailto:DPO@efltrust.com), or by speaking to your CCO and letting them know.

We will only use your personal information 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 we need to use your personal information 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 information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

#### 5. What is 'automated decision-making' and does EFL Trust use it?

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention.

We do not envisage that any decisions will be taken about you using automated means, and we will notify you in writing if this position changes.

## 6. Is my personal information shared with other organisations?

As far as possible, we endeavour to share information that is not personally identifiable. On occasion, we will share your personal data with other organisations in their capacity as data controllers, and will put in place an appropriate data sharing agreement for such sharing. The organisations or categories of organisations are listed below:

- External auditors (where this is necessary to carry out the audit)
- DWP, as the programme/scheme funder (Special Category - sensitive information - will only be shared with consent)
- An external evaluator in order to evaluate the impact of the programme (Special Category - sensitive information - will only be shared with consent)
- The CCO delivering you are working with who deliver the project

We share your data with third parties who act as data processors on our behalf. Where we employ a data processor, a contract that meets the minimum terms of Article 28 of the GDPR will be in place, to protect the processing of such data. We require third party processors to respect the security of your data and to treat it in accordance with the law. Your information will be shared with the following categories of data processors:

- Online database platforms;
- IT service providers (EFL IT systems are currently provided through Premier League, EFL and Elite IT)

In exceptional circumstance, we may also need to share your personal information with a regulator, Court, dispute resolution service or to otherwise comply with the law (or to law enforcement authorities where we may be legally permitted to do so).

## 7. Is my personal information held securely?

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

Third parties will only process your personal information where they have agreed to treat the information confidentially and to keep it secure.

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

## 8. How long is my personal information retained for?

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

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

We will retain most of your personal information for the purposes described in this privacy notice for seven years following the end of your engagement with the Kickstart Scheme. We will retain your more sensitive (special category) information for a maximum of two month, after which time it will be removed or completely anonymised. At the expiry of the relevant retention period, information will be reviewed to assess whether it can be destroyed, anonymised, or whether retention is required for a further period (we will only retain this further, where processing is compatible without our original purposes. Ordinarily, we will delete all information following the expiry of the retention period).

## 9. What are my rights in connection with my personal information?

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

Your rights in relation to the processing of your personal data are listed below, however not all rights are absolute, and are only applicable in certain conditions:

- Right to be informed: This privacy notice is designed to ensure you are fully informed about how we will process your data.
- Right of access: (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it. You can exercise the right of access by contacting the DPO.
- Right to request correction (also known as rectification): This enables you to have any incomplete or inaccurate data about you corrected. If we cannot correct the information for technical reasons, we will append a supplementary statement to the information.
- Request deletion (also known as right of erasure, or right to be forgotten): This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- Object to processing: this applies where we are relying on a legitimate interest (or those of a third party) and you want to object to processing on this ground. This also applies where we are processing your personal information for direct

marketing purposes (and this right is absolute in relation to direct marketing – there are no further criteria required in this instance).

- Request the restriction of processing: You can ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or reason for processing.
- Request the data is transferred electronically (also known as the right to data portability): You can ask us to transfer your personal information to yourself or another data controller in a structured, commonly used, and machine readable format, where this is technically feasible.
- Right to withdraw consent: In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. If we require your consent to process any of your data, this will be made clear at the time we collect it.

Please note some of the above rights apply only in certain circumstances and/or be subject to conditions. For further information or to exercise any of these rights, please contact our Data Protection Officer.

For security reasons we may need to request information from you to help us verify your entitlement to exercise any of your rights and/or to ensure that personal information is not disclosed to any person who has no right to receive it.

#### 10. Who can I speak to about my personal information held by EFL Trust?

We have appointed a Data Protection Officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO. You can e-mail your questions to [DPO@efltrust.com](mailto:DPO@efltrust.com).

You also 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.

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF