



**THE SCOTTISH FOOTBALL ASSOCIATION LIMITED
PRIVACY POLICY AND USE OF YOUR PERSONAL INFORMATION**

FOR

MATCH OFFICIALS

1 INTRODUCTION

- 1.1 The Scottish Football Association Limited (**Scottish FA / Us / We**) is a data controller. This means that we are responsible for deciding how we hold and use personal information about you. We are required under Data Protection Legislation to notify you of the information contained in this fair processing notice.
- 1.2 This notice applies to current and former referees (regardless of classification) whose personal data is processed by us.
- 1.3 It is important that you read this notice, together with any other fair processing notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.
- 1.4 In this Notice, **Data Protection Legislation** means all applicable legislation which relates to the protection of individuals with regards processing personal data, including that Data Protection Act 2018 and the General Data Protection Regulation (EU) 2016/679.

2 DATA PROTECTION PRINCIPLES

We will comply with Data Protection Legislation. This says that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way;
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date;
- Kept only as long as necessary for the purposes we have told you about; and
- Kept securely.

3 WHAT KIND OF PERSONAL DATA DO WE HOLD ABOUT YOU?

3.1 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).

3.2 We will collect, store, and use the following categories of personal information about you including:

- Personal contact details such as name, title, postal address, telephone numbers, and email addresses (personal and/or business);
- Date of birth, gender, and marital status;
- Information about the Referees' Association of which you are, or have been, a member;
- Records of matches you have officiated when appointed by, or on behalf of, the Scottish FA, and by FIFA and UEFA or other football bodies. Information about your performances in such matches, where you have been assessed;
- Photographs, videos and audio recordings of you;
- Bank account details;
- Fees and expenses which you have received when appointed to matches in the Scottish Cup, the Scottish FA Youth Cup, Club Academy Scotland and for any other miscellaneous matches requiring payment to be made by the Scottish FA and for matches in Scottish Professional Football League competitions
- Records of any complaints which you have made to the Scottish FA, and / or any complaints which are made against you; and
- Information about your use of our information and communications systems (e.g. Referee Extranet).

4 WHAT "SPECIAL CATEGORIES" OF PERSONAL DATA DO WE HOLD ABOUT YOU?

4.1 "Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate document and safeguards which we are required by law to maintain when processing such data. We may collect, store and use the following special categories of personal information:

- Diversity Information: including information about your race or ethnicity, religious beliefs, age, gender, sexual orientation and political opinions; and
- Information about your health, including the results of fitness tests and information about any medical condition, health and sickness records, only to the extent required in connection with your role as a referee and as required for your specific classification.

5 WHAT INFORMATION RELATING TO CRIMINAL CONVICTIONS DO WE HOLD ABOUT YOU?

- 5.1 We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.
- 5.2 We will collect information about criminal convictions from you by undertaking a background check:
 - 5.2.1 when you first register as a referee with the Scottish FA;
 - 5.2.2 if you were registered as a referee prior to 1 January 2004, through an additional background check;
 - 5.2.3 if you transfer to another Referees' Association or assume a position with your Referees' Association which requires a fresh background check to be undertaken.
- 5.3 We shall obtain information about criminal convictions either directly from Disclosure Scotland or through a third party background check provider.

6 HOW IS YOUR PERSONAL INFORMATION COLLECTED?

- 6.1 We collect personal information about referees from the referees themselves, as well as from the Referees' Associations of which they are a member.
- 6.2 We will collect additional personal information on an ongoing basis.
- 6.3 It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes ensuring that you keep your contact details up to date on the Referee Extranet.

7 HOW DO WE USE YOUR INFORMATION?

- 7.1 We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:
 - 7.1.1 Where we need to perform our obligations to you in connection with your role as a referee;
 - 7.1.2 Where we need to comply with a legal obligation; and
 - 7.1.3 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.
- 7.2 We may also use your personal information in the following situations, which are likely to be rare:
 - 7.2.1 Where we need to protect your interests (or someone else's interests); and
 - 7.2.2 Where it is needed in the public interest.
- 7.3 We need all the categories of information in the list above (paragraph 3) primarily to allow us to perform our obligations to you in connection with your role as a referee, and to enable us to comply with our legal obligations. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and

fundamental rights do not override those interests. The situations in which we will process your personal information include the following:

- Checking you are eligible to officiate in certain matches and competitions;
- To review nominations from Referees' Associations' Managers and Referee Observers regarding the categorisation of individual referees for inclusion in the List of Referees;
- To maintain and update your category as advised by Referees' Associations' Managers for referees in the categories below the List of Referees
- Publishing appointments to clubs, Leagues and Associations and on the Scottish FA website
- Managing any disciplinary action that is required following any given match or competition and communicating the outcome to interested parties;
- Liaising with the Referees' Association which you are a member of;
- Marketing our competitions, events and merchandise;
- Administration relating to our relationship with you, such relationship extending across the wider business of the Scottish FA and of its various departments;
- Conducting reviews of your refereeing performance;
- To make any necessary arrangements where necessary to allow you to travel to other countries in a football related capacity;
- Dealing with legal disputes involving you;
- Complying with health and safety obligations;
- To prevent fraud;
- Equal opportunities monitoring;
- Gathering evidence for possible grievance or disciplinary hearings;
- Education, training and development requirements;
- Ascertaining your fitness to officiate;
- To monitor your use of our information and communication systems to ensure compliance with our IT policies; and
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.

7.4 Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

8 HOW DO WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION?

8.1 We may process "special categories" of personal information (a referred to in paragraph 4) in the following circumstances:

- 8.1.1 In limited circumstances, with your explicit written consent.
 - 8.1.2 Where we need to carry out our legal obligations or exercise legal rights.
 - 8.1.3 Where it is needed in the public interest, such as for equal opportunities monitoring.
- 8.2 Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.
- 8.3 We will use your particularly sensitive personal information in the following ways:
- We will use information about your physical or mental health to assess your fitness to officiate matches and to confirm that you meet the fitness requirements of your relevant classification and to provide appropriate medical treatment (where necessary);
 - We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful diversity and equal opportunity monitoring and reporting. Information required for diversity and equality purposes is anonymised, and is only available in un-anonymised form to our Diversity & Inclusion Manager.
- 8.4 In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

9 **WHAT HAPPENS IF YOU FAIL TO PROVIDE PERSONAL INFORMATION?**

If you fail to provide certain information when requested, we may not be able to perform our obligations to you in connection with your role as a referee or we may be prevented from complying with our legal obligations (such as to comply with health and safety obligations).

You may also be unavailable for selection to officiate matches and/or we may be unable to provide you with or confirm your classification level.

10 **AUTOMATED DECISION-MAKING**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

11 **DATA SHARING**

- 11.1 We will share your personal information with third parties where required by law, where it is necessary to administer our relationship with you or where we have another legitimate interest in doing so.
- 11.2 Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

11.3 For the purposes of paragraph 11.1, “third parties” includes:

- Scottish FA affiliate companies (including Hampden Park Limited and The National Stadium Sports Medicine Centre (trading as Hampden Sports Clinic));
- our third-party service providers (including contractors and designated agents);
- the Affiliated National Associations (which are: i) Scottish Junior Football Association, ii) Scottish Youth Football Association, iii) Scottish Women’s Football, iv) Scottish Amateur Football Association, v) Scottish Schools’ Football Association, vi) The Scottish Welfare Football Association, and vii) Scottish Para-Football);
- other sporting bodies such as FIFA, UEFA, and with National Football Associations of other countries;
- the Referees’ Association which you are a member of;
- the clubs, leagues and/or associations of the matches which you are officiating at (for such match appointments made by the Scottish FA);
- third parties who provide accommodation or travel services whilst you are travelling; and
- third party medical professionals (where necessary).

12 TRANSFERS OUTSIDE THE EEA

12.1 The personal data of referees selected to officiate at international matches will be transferred to countries in which the relevant international match will be played. There may be occasions where these countries are not part of the European Economic Area (**EEA**) and where personal data is not afforded the same level of protection under the domestic laws.

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

12.2.1 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.

12.2.2 Where we use certain service providers, we may enter into the EU’s “Model Contracts for the transfer of personal data to third countries”. These are specific contracts approved by the European Commission which give personal data the same protection it has in Europe.

12.2.3 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.

12.3 Where it is not possible to put in place any of the measures set out in paragraph 12.2 above, we will only transfer your personal data to a third country where you have given us your express consent to do so.

13 DATA SECURITY

- 13.1 We have put in place measures to protect the security of your information. Details of these measures are available upon request.
- 13.2 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.
- 13.3 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

14 DATA RETENTION

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. 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 and whether we can achieve those purposes through other means, and the applicable legal requirements.

15 YOUR RIGHTS

- 15.1 Under Data Protection Legislation, you are entitled to exercise the following rights over your personal data:
- **Right to object:** You can object to our processing of your personal data.
 - **Access to your personal information:** You can request access to a copy of your personal data that we hold, along with information on what personal data we use, why we use it, who we share it with, how long we keep it for and whether it has been used for any automated decision making. You can make a request for access free of charge.
 - **Right to withdraw consent:** If you have given us your consent to use your personal data, you can withdraw your consent at any time.
 - **Rectification:** You can ask us to change or complete any inaccurate or incomplete personal data held about you.
 - **Erasure:** You can ask us to delete your personal data where it is no longer necessary for us to use it, you have withdrawn consent, or where we have no lawful basis for keeping it.
 - **Portability:** You can ask us to provide you or a third party with some of the personal data that we hold about you in a structured, commonly used, electronic form, so it can be easily transferred.
 - **Restriction:** You can ask us to restrict the personal data we use about you where you have asked for it to be erased or where you have objected to our use of it.

- **Make a complaint:** You can make a complaint about how we have used your personal data to us by contacting us, or to a supervisory authority - for the UK this is the Information Commissioner's Office, at <https://ico.org.uk/>.

15.2 If you would like to exercise any of your rights above, please contact us by email to dpo@scottishfa.co.uk.

16 **CHANGES TO THIS FAIR PROCESSING NOTICE**

We reserve the right to update this fair processing notice at any time, and we will provide you with a new fair processing notice when we make any substantial updates.

17 **CONTACT US**

If you have any questions about this fair processing notice, including any requests to exercise your legal rights or making a complaint to us about how we have used your personal data, please contact us by emailing dpo@scottishfa.co.uk, or by writing to us at "Data Protection Officer, The Scottish Football Association, Hampden Park, Glasgow, G42 9AY".