

Midland Region Hockey Umpiring Association

Data Protection Officer - Terms of Reference

The Data Protection Officer (hereafter known as the DPO) should be, where possible, designated on the basis of professional qualities, in particular, expert knowledge of data protection law and practices and the ability to fulfil the tasks. The necessary level of expert knowledge should be determined according to the data processing operations carried out and the protection required for the processing. The tasks to be fulfilled by the DPO are included within the DPO responsibilities.

The GDPR regulations are clear that a DPO is not personally responsible in case of non-compliance with the Regulation. It is the Data Controller who is required to ensure and able to demonstrate that the processing of personal data is performed in accordance with its provisions. Data protection compliance is the responsibility of the Data Controller (hereafter known as the DCO).

DPO responsibilities:

- To provide direction, support and advice to the Association in relation to their data protection obligations under the GDPR regulations and other data protection provisions.
- To monitor compliance with the data protection provisions, and with the policies of the Association in relation to the protection of personal data, including the assignment of responsibilities, awareness-raising and training of staff involved in the processing operations, and the related audits playing a critical role in decisions made relating to data protection.
- To provide expert advice where requested regarding the data protection impact assessment process and monitor its performance, where necessary.
- To cooperate with the Information Commissioner's Office (ICO) in all matters relating to the Regulation.
- To act as a contact point for the ICO on issues relating to the processing, including where necessary, the prior consultation of data protection impact assessments, and to consult where appropriate, with regards to any other matter relating to information governance.
- To promote data protection compliance and best practice by setting and maintain standards and procedures, ensuring the Associations data protection policies are up to date, disseminating any changes in the legislation to key members through communications and where necessary training.
- To provide expert advice to the Association and where appropriate draft privacy notices, collection statements and any other data protection notices in order to ensure that individuals are aware of the intentions to process their data and ensuring that the Association processes personal data in a fair and lawful manner in line with the individual rights.
- To act as the main point of contact for all Data Protection internal and external enquires and manage requests made by individuals, in accordance with data protection provisions and ensuring that individuals are responded to accordingly.
- Support the Association Chairperson in investigating breaches and incidents of data protection, establishing any potential weaknesses in Association policies accordingly.
- To manage, investigate and resolve all complaints from individuals in relation to their rights under the data protection laws and Human Rights Act. Ensuring that adequate reporting mechanisms are in place for recording such complaints.

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- To investigate regulatory complaints in accordance with relevant regulatory requirements.
- Provide advice and assist with all data protection queries relating to projects, programmes, data processor contractual arrangements and data sharing initiatives.
- Advice on all elements of processing personal data on the requirements and implications of data protection law.
- Formally report all data protection compliance issues, including any complaints and breaches of legislative framework to the Association Chairperson.
- Maintain confidentiality in regards to the DPO responsibilities.
- In relation to the performance of these tasks have due regard to the risk associated with processing operations, taking into account the nature, scope, context and purposes of processing.

DCO (Webmaster) responsibilities:

- Ensure the DPO is involved, properly and in a timely manner, in all issues which relate to the protection of personal data, with their presence being recommended where decisions with data protection implications are taken.
- The opinion of the DPO must be given due weight. In case of disagreement, best practice is to document the reasons for not following the DPO advice.
- Support the DPO in performing their tasks by providing resources necessary to carry out those tasks and access to personal data and processing operations, and to maintain their expert knowledge.
- Ensure the DPO does not receive any instructions regarding the exercise of their tasks; they are to be in a position to perform their duties and tasks in an independent manner. This does not mean that the DPO has decision-making powers extending beyond their DPO tasks as the Data Controller remains responsible for compliance with data protection law and must be able to demonstrate compliance.
- Ensure the DPO role is a protected role. The DPO cannot be dismissed or penalised for performing their DPO tasks.
- The DPO role is to report to the highest level of management.
- Ensure all individuals can contact the DPO with regards to all issues relating to the processing of their personal data and to exercise their rights under the Regulation.
- Publish the contact details of the DPO.
- Ensure there is no conflict of interest. A DPO can fulfil other tasks and duties but these are not to result in a conflict of interest. Therefore, the DPO cannot hold a position within the organisation that leads them to determine the purposes and the means of processing personal data.