

# Data Protection and Privacy

## User Guide

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## Purpose

The Long Distance Walkers Association is an association of people with the common interest of walking long distances in rural, urban, mountainous or moorland areas. The LDWA allows like-minded long distance walkers to gain access to information on walking events and long distance routes across the UK. The LDWA comprises of a network of local groups across the UK who arrange social and challenge walk events. The LDWA is recognised as a national governing body (NGB) for rambling by Sport England, Sport Scotland and Sport Wales.

The National Executive Committee (NEC) is the governing body of the Long Distance Walking Association.

This User Guide summarises the ways in which The LDWA will manage the personal data of its members, website users, event participants and activities and all others who may give us personal information (collectively called “Data Subjects”).

This User Guide also provides guidance to individuals acting on behalf of The LDWA and/or its Local Groups. This includes personal data held on the LDWA’s main website at [www.ldwa.org.uk](http://www.ldwa.org.uk) and also any subsidiary websites operated by Local Groups.

To comply with the Data Protection Act 2018, the LDWA have published a Data Protection & Privacy Policy. This User Guide is an interpretation of the LDWA’s Policy, although the Policy will always take precedence if there is any inconsistency between this User Guide and the Policy.

## Contents

Purpose.....	3
1.0 Understanding Key Data Protection Terms.....	5
Defining Personal Data .....	5
2.0 Data Lawfulness, Fairness and Transparency .....	6
Context .....	6
The LDWA Commitments.....	6
Special Category Personal Data.....	6
Special Category Data – Minors (Under 18).....	7
What is Direct Marketing?.....	7
3.0 Purpose Limitation.....	11
Context .....	11
The LDWA Commitments.....	11
Privacy Notices.....	11
4.0 Data Minimisation .....	14
Context .....	14
The LDWA Commitments.....	14
5.0 Data Accuracy .....	15
Context .....	15
The LDWA Commitments.....	15
6.0 Storage Limitation: Data Retention .....	16
Context .....	16
The LDWA Commitments.....	16
Retention Schedule.....	16
7.0 Integrity and Confidentiality: Data Security.....	21
Context .....	21
The LDWA Commitments.....	21
Third Parties .....	21
Local Group Security .....	22
8.0 Data Accountability.....	22
Context .....	22
The LDWA Commitments.....	23
9.0 Monitoring and review .....	23

# 1.0 Understanding Key Data Protection Terms

## Defining Personal Data

The ICO (Information Commissioners Office) defines personal data to be “data relating to a living individual who is or can be identified either from the data or from the data in conjunction with other information that is in, or is likely to come into, the possession of the Data Controller.”

**Controller:** The ICO defines a controller as: “Controllers are the main decision-makers – they exercise overall control over the purposes and means of the processing of personal data.”

## 2.0 Data Lawfulness, Fairness and Transparency

### Context

For processing of personal data to be lawful, The LDWA must need to identify specific grounds for the processing; this is called a 'lawful basis' for processing.

Processing of personal data must always be fair as well as lawful. If any aspect of processing is unfair The LDWA will be in breach of this principle – even if there is a lawful basis for the processing. Transparency is fundamentally linked to fairness. Transparent processing is about being clear, open and honest with individuals from the start about who you are, and how and why their personal data is used (*"processed"*).

### The LDWA Commitments

The LDWA will:

- Ensure all personal information disclosed will be treated in accordance with the LDWA's Data Protection and Privacy Policy and current UK Data Protection legislation.
- Ensure that the legal basis for processing personal data is identified in advance and that all processing complies with the law.
- Ensure that appropriate cookie and privacy notices are in place advising data subjects how and why their data is being processed to provide full transparency.
- Not sell personal information to any third party without the permission of the data subject.
- Not transfer data outside of the European Economic Area.

### Special Category Personal Data

This includes the following sensitive personal data revealing:

- racial or ethnic origin;
- political opinions;
- religious or philosophical beliefs;
- trade union membership;
- the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person;
- an individual's health;
- a natural person's sex life or sexual orientation; or
- criminal convictions or offences.

The LDWA may process special category data to:

- Understand the composition of its membership and better understand how to sustain and increase its membership.
- To safeguard and protect the best interests of data subjects in the event of an emergency e.g. health problems.
- Safeguard children and individuals at risk.

## Special Category Data – Minors (Under 18)

The LDWA retains names and details that have been provided by parents and guardians. Children and young adults under the age of 18 may always ask for their profile to be removed from the National Membership Database, which will be done as soon as possible and no later than one month after the request has been received.

Children and young adults under the age of 18 may ask not to receive any group membership correspondence of any kind. This will be managed by deleting any email address attached to their name.

Challenge Events are normally entered by adults. However, young adults aged 16 or 17 may apply to take part directly in a Challenge Event in which case the details on the entry form will be retained and managed in the same way as for an adult. Parents and guardians may also enter children aged under 16 supplying personal data to the organisers as if they are adults. In addition, schools and colleges providing secondary education (not universities or colleges providing higher education) may enter the names of students under their care.

Social Walks are normally entered by adults. However, young adult family members aged 16 or 17 may take part directly. In addition, parents or guardians may bring children aged under 16. The same rules for holding information apply to anybody under 18 as if they are adults.

Names and personal details of minors aged less than 16 years of age claiming a hillwalking or national trails achievement on the Register must be entered by the parent or guardian. Names and personal details of those aged 16 or 17 must be entered by the young adult concerned.

No personal information will be stored, processed or published about those aged less than 16 years without the consent of their parent or guardian. – unless it is for safeguarding reasons.

## What is Direct Marketing?

Direct marketing rules apply if the NEC/Local Groups use data collected with the intention to market, advertise, or promote products, services, aims or ideals.

The LDWA deems direct marketing to include, but not limited to, communication to any individual using personal data collected under the auspices of The LDWA to:

- Promote membership;
- Advertise LDWA events and activities; and
- Promote non-LDWA events and activities.

Genuine market research e.g. surveys and routine servicing communication is not considered as marketing. Genuine research cannot evolve into an invitation to market, advertise or promote products, services, aims or ideals.

For clarity, The LDWA considers the following examples of contact to individuals as not classified as marketing (not exhaustive):

- to check why they did not attend a particular activity they signed up to;
- to understand why an activity was not of interest;
- to understand why they wish to join/leave The LDWA;
- to follow up on outstanding membership subscriptions;
- to provide information of changes/cancellations to an event; or
- to follow up on a query the individual raised initially.
- Governance matters; NEC/Local Group elections and AGM's.

- When is Marketing 'Solicited' and when is it 'Unsolicited'?

Put simply, a solicited message is one that is actively requested. So if someone specifically asks NEC/Local Groups to send them some information as a one-off, NEC/Local Groups can do so without worrying about whether it falls under Direct Marketing rules.

An unsolicited message is any message that has not been specifically requested. So even if the individual has consented or 'opted in' to receiving marketing from NEC/Local Groups, it still counts as unsolicited marketing. An opt-in means the individual agrees to future messages and enables The LDWA to comply with the e-privacy Directive.

- Obtaining Consent or 'Opting In'

Marketing can be conducted by the LDWA where data subjects, both members and non-members, actively consent to receiving direct marketing and the specified medium e.g. Phone, email, text. Consent must not be assumed and the data subject has the right at any time to withdraw consent.

NEC/Local Groups must keep clear records of what a data subject has consented to, and when and how the consent was obtained, so it can demonstrate compliance in the event of a complaint.



- How does The LDWA Generally Obtain Consent?

When joining The LDWA a members will be asked whether they wish to provide consent to receiving:

- National communications;
- Local Group communications; and
- Associated Groups communications.

Due to the constraints of The LDWA website, direct marketing from the website is restricted to the bulk mailing system and the three different categories. Development of a new website is a key strategic deliverable for The LDWA in the next five years, which amongst many benefits, will allow more flexibility in how NEC/Local Groups are able to market to members.

Consent can be revoked easily at any time by the member logging onto the membership website at [www.sientries.co.uk](http://www.sientries.co.uk) and editing their preferences to stop receiving emails generated from the bulk mailing system that are not directly associated with their continued membership.

Direct marketing emails must not be sent from any other medium as NEC/Local Groups have no robust way of recording whether members have consented.

NEC/Local Groups may also utilise social media for marketing to members and non-members. Members must freely sign up to these services (rather than being automatically opted-in) and have the opportunity to opt-out or leave these platforms whenever they wish.

- Other Relevant Direct Marketing Legislation

*Privacy and Electronic Communications (EC Directive) Regulations 2003 (PECR)*

This is derived from European law and are also known as 'the e-privacy Directive'.

The e-privacy Directive complements data protection laws and sets out more specific privacy rights on electronic communications. It recognises that widespread public access to digital mobile networks and the internet opens up new possibilities for businesses and users, but also new risks to their privacy.

The e-privacy Directive covers marketing by electronic means, including marketing calls, texts, emails and faxes.

The e-privacy Directive marketing provisions do not apply to other types of marketing, such as mailshots or online advertising. However, it must still comply with the Data Protection Act

- Strider

Members have the right not to receive Strider. Members should contact the membership secretary if they do not have access to the website.

## 3.0 Purpose Limitation

### Context

This requirement aims to ensure that The LDWA are clear and open about the reasons for obtaining personal data, and that what is done with the data is in line with the reasonable expectations of the data subjects concerned.

### The LDWA Commitments

The LDWA will:

- Clearly document within privacy notices the purpose of collecting specified data;
- Not do anything with your data that you would not expect outside of the privacy notices; and
- Only collect and process the personal data that it needs for purposes it has identified in advance in the privacy notices.

### Privacy Notices

Privacy notices must be used in all circumstances when the LDWA is collecting personal data from data subjects to meet the lawfulness, fairness and transparency principle.

Consent must be required from parents or guardians to hold data on individuals who are under 16 (unless it is for safeguarding reasons). This includes adding individuals names to registers.

Circumstances where personal data is collected includes, but is not limited to:

- Applying for membership online

I understand that the personal information submitted on this application form will be used to manage my membership and provide me with relevant information about the LDWA.

I understand if I become a member, my details held within the national membership database and will be shared with my local group to enable local volunteers to contact me.

Please see the Data Protection and Privacy User Guide on [www.ldwa.org.uk](http://www.ldwa.org.uk) for more information.

- **Challenge Event Registration**

This privacy notice must be used for all challenge events including anytime or the annual 100 mile events where personal data is processed. It is the responsibility of the event organiser to ensure the notice is accurate and seen by entrants. For example SiEntries can be updated to reflect this.

“I understand that the personal information submitted on this entry form will be held by the event organisers and retained securely for up to seven years after the event is held for the purposes of managing this event only.

I accept that photographs or videos are likely to be taken at the event, which may be featured in Strider magazine, group newsletters, on LDWA websites and on LDWA social media. I understand this will be held in perpetuity and I have the right to request deletion where it is physically possible for the LDWA to do so.

I understand that my personal data may be published immediately and may be held in perpetuity for the purposes of providing a record of the event. I have the right to request that all my personal data be anonymised or removed where it is possible for the LDWA to do so.

Please see the Data Protection and Privacy User Guide on [www.ldwa.org.uk](http://www.ldwa.org.uk) for more information.”

It is important that event organisers are flexible with their approach if a walker does not want to be included in photographs and videos. An walker should not feel excluded from an event if the walk organiser can make reasonable adjustments to meet their needs.

- **Social Walk Registration**

This privacy notice must be used for all social walks where personal data is collected. It is the responsibility of the social walk organiser to ensure the notice on social walks registers are correct:

“I understand that the personal information submitted for this social walk will be held by the organisers and retained securely on the LDWA website for up to seven years after the walk has taken place.

Non members consent to supplying contact details to facilitate a follow up to check whether you wish to become a member of the LDWA.

The purpose of holding this information is to satisfy the requirements of the LDWA public liability insurance policy.

I accept that photographs or videos are likely to be taken during the walk, which may be featured in Strider magazine, group newsletters, on LDWA websites and on LDWA

social media. I understand this will be held in perpetuity and I have the right to request deletion where it is physically possible for the LDWA to do so.

Please see the Data Protection and Privacy User Guide on [www.ldwa.org.uk](http://www.ldwa.org.uk) for more information.”

It is important that social walk organisers are flexible with their approach if a walker does not want to be included in photographs and videos. An walker should not feel excluded from a social walk if the walk organiser can make reasonable adjustments to meet their needs.

- **Making claims on the Hillwalkers and National Trails Registers**

“I understand that the personal information submitted in this claim will be held and retained securely on the Register in perpetuity unless subsequently amended by me or unless I ask the Recorder to withdraw my name from the Register.

I acknowledge that the walking achievements and personal details will be published on the Register. I will have the right to request the Recorder to remove my name and other personal information from the Register and not feature in future publications.”

You cannot participate in any of the above activities without consenting to the statements. This allows the LDWA to safely run activities and meet data protection legislation by setting out the lawful basis for collecting and holding personal data.

## 4.0 Data Minimisation

### Context

The LDWA must identify the minimum amount of personal data needed to fulfil its purpose. The LDWA should hold that much information, but no more.

### The LDWA Commitments

The LDWA will ensure data held and used is:

- Adequate and sufficient to properly fulfil its stated purpose;
- Relevant and has a rational link to that purpose; and
- Limited to what is necessary. We will not hold more than if needed for that purpose.

To fulfil these commitments the LDWA will only collect personal data we actually need for a specific purpose. We also periodically review the data we hold and delete anything we don't need. This is set out within the retention schedule in section [six](#).

## 5.0 Data Accuracy

### Context

This data protection principle is self explanatory in that personal data must be accurate and where necessary kept up to date.

### The LDWA Commitments

The LDWA will:

- Take all reasonable steps to ensure the personal data held is not incorrect or misleading.
- Keep the personal data updated.
- Take reasonable steps to correct or erase incorrect or misleading data as soon as possible.
- Carefully consider any challenges to the accuracy of personal data.

If your personal details change or if you add new walking achievements, it is your responsibility to inform the Recorder of the Register. Modifications will normally be made within one month of the Recorder being notified of any changes by you. The walking achievements for each named claimant are normally published annually.

Under the DPA 2018 the LDWA must ensure that Users' personal information is accurate and up to date. Therefore, Users should advise the LDWA of any changes to their information via the LDWA website or via the membership system held on SiEntries ([www.sientries.co.uk](http://www.sientries.co.uk)). If Users do not have access to the internet, they should contact the Membership Secretary, in which case their details will be amended within one month of receipt of such a request being made.

## 6.0 Storage Limitation: Data Retention

### Context

Ensuring that personal data is erased or anonymised when it is no longer needed will reduce the risk that it becomes irrelevant, excessive, inaccurate or out of date. Apart from helping The LDWA to comply with the data minimisation and accuracy principles, this also reduces the risk that personal data will be used in error – to the detriment of all concerned.

### The LDWA Commitments

#### The LDWA Will

- The LDWA must be able to justify how long personal data is retained for. It must periodically review the data it holds, and erase or anonymise it when it is no longer needed.
- The LDWA must also carefully consider any challenges to the retention of data. Data subjects have a right to erasure if it is no longer required.

### Retention Schedule

The following table sets out where personal data (or a risk assessment) may be collected and how long it is retained for.

Generally, individuals give the LDWA their personal information when they:

1. Ask about our activities;
2. Join as a member or reconfirm their membership;
3. Purchase goods from the LDWA;
4. Take part in one of the LDWA's Challenge Events or Social Walks;
5. Claim an entry on the Registers; or
6. Participate in other events, such as the AGM or Group parties.

The table below sets out the data, purpose for collection and retention period.

Data	Purpose?	Retention Period
Membership		



Personal Data and Financial Records within the National Membership Database (including details of members under 18).	<p>Compliance with financial reporting requirements.</p> <p>To manage the Association.</p> <p>Note – Payment card details are not retained within the membership database, but if a member chooses to pay by direct debit then bank details will be retained securely in an encrypted location.</p>	3 years after membership lapses.
Survey response.	To improve the service provided to members.	2 years from receipt.
<b>Challenge Events (including 100's)</b>		
Sign up to a challenge event	To manage the smooth running of a challenge event and for insurance purposes.	7 years after the challenge event ends.
Risk Assessments	To manage the smooth running of a challenge event and for insurance purposes.	7 years after the challenge event ends.
Medical Data	To manage the smooth running of a challenge event.	1 week after the challenge event ends.
All Marshals granted access to personal details for a challenge event	To manage the smooth running of a challenge event.	1 week after the challenge event ends.
Results of a Challenge Event	To celebrate and recognise achievements during challenge events.	In perpetuity (Personal data can be anonymised on request).
<b>Social Walks</b>		

Uploaded Social Walk Registers	For insurance purposes.	7 years after the social walk ends.
Risk Assessments	To manage the smooth running of a social walk and for insurance purposes.	7 years after the social walk ends.
Medical Data	To manage the smooth running of a social walk.	1 week after the social walk ends.
<b>Incidents/Nominations</b>		
Accident & Incident Report	To enable the LDWA to manage future claims.	7 years after the accident or incident is reported.
Grievance	To enable the LDWA to manage future claims.	7 years after the incident is closed.
Safeguarding (vulnerable adult of young adult)	To enable the LDWA to manage future claims and comply The Limitation Act 1980.	7 years after the incident is closed.
Nomination for LG/National Committee roles	To manage the smooth running of nominations and any grievances/issues	1 years following the election.
<b>LDWA Website</b>		
Persistent Cookies	To allow “remember me” functionality on the website and enable smooth logging into the members area.	7 years after membership lapses or removed by a members by unselecting the “remember me” option on the log in/out screen.
Purchase history in Shop (no payment details processed by LDWA)	<p>To manage to smooth running of stock and merchandising for members.</p> <p>To comply with financial reporting requirements.</p>	<p>Paper records – 2 months from dispatch of goods.</p> <p>Email orders – 2 months form dispatch of goods.</p> <p>Website orders - 7 years.</p>

<b>LDWA Forum - Individual Posts</b>	To enable smooth communication and sharing of ideas across the membership.	7 years.
<b>Material published on the LDWA National or Local Group websites (with or without photographs)</b>	To enable smooth communication and sharing of ideas across the membership.	In perpetuity (Personal data can be anonymised or photos removed on request).
<b>Long Distance Path Database</b>	To provide value to our members by offering additional services they may benefit from.	No personally identifiable data should be retained on the LDP database.
<b>Registers</b>		
<b>Hill Walkers</b>	To celebrate and recognise achievements of hill walkers.	In perpetuity (Personal data can be anonymised on request).
<b>National Trail Register</b>	To celebrate and recognise achievements of national trail walkers.	In perpetuity (Personal data can be anonymised on request).
<b>100's Recorder</b>	To celebrate and recognise achievements of national trail walkers.	In perpetuity (Personal data can be anonymised on request).
<b>Expenses</b>		
<b>Expense Claims (not held on the National Membership Database).</b>	Compliance with financial reporting requirements.	7 years from the expense claim.
<b>Strider</b>		
<b>Articles within the Strider publication</b>	To enable smooth communication and sharing of ideas across the membership.	In perpetuity. As it is printed personal data cannot be removed once published.

National Executive Committee		
Records of decisions made by the NEC	To comply with the Articles of the Constitution.	At least 10 years.

## 7.0 Integrity and Confidentiality: Data Security

### Context

The LDWA must ensure that it has appropriate security measures in place to protect the personal data held.

### The LDWA Commitments

#### The LDWA Will:

- Make all reasonable efforts to protect the privacy of all individuals data and to maintain the security of all personal information held by the LDWA centrally and by its Local Groups.
- Provide a secure location for personal data to be retained on the website through its membership database or walk registers.
- Ensure that appropriate security measures are in place on the LDWA website to ensure that personal data can only be accessed by those who need to access it and that it is held securely.
- Provide guidance on security measures to local groups where personal data is not held on the LDWA website.

### Third Parties

For our Challenge Events, we often use third parties (SiEntries, for example) to manage the application and to receive the entry charge for the Event. In these circumstances, these third parties are acting as data processors for the LDWA and are committed to keeping the personal information of applicants confidential.

Our printer is given access to names and addresses for the purposes of mailing out Strider and other communications with members. This supplier is subject to a signed contract, which includes provisions to support the LDWA in its commitments to the data protection of its users and to compliance with the Data Protection Act 2018.

Our shop uses Stripe as our payment service provider and processes personal data on our behalf. This supplier is subject to a signed contract, which includes provisions to support the LDWA in its commitments to the data protection of its users and to compliance with the Data Protection Act 2018. Note: The LDWA does not hold or process to card payments.

We use eTempa to manage the design and development of our website. Although eTempa do not process data on our behalf they will have access to all personal data on our website and membership database. eTempa are subject to a signed contract,

which includes provisions to support the LDWA in its commitments to the data protection of its users and to compliance with the Data Protection Act 2018.

We use NatWest to process payments for membership via cash, cheque and direct debit. As our banking partner they are subject to the same level of control around protecting personal data.

We use SiEntries to manage our membership, including changes to personal details and handling annual subscriptions. LDWA membership data held on this platform complies with LDWA data protection policy and this User Manual. For further information on how SiEntries manage personal data please visit <https://www.sientries.co.uk/privacy.php>

## Local Group Security

Users should understand that all personal information held on the personal electronic storage devices of event organisers, register recorders and other volunteers is inherently not as secure as that on the LDWA website.

Should a Local Group collect personal data not retained on the LDWA website, it has the following obligations:

- To comply with the LDWA data retention policy – see section 5.
- To ensure data is kept securely and safely on an electronic storage device that has password-controlled access with internet security systems operating.
- Any personal data on paper must be locked securely away and preferably retained in a secure digital format (see above).
- To restrict access to those that are entitled to it for LDWA purposes only.
- To not share or sell personal data to any third party.
- To report any loss or compromise of personal data to the Data Manager within 24 hours of an incident.
- To comply with any data subject rights as set out in the data protection policy e.g. removing or correcting data. Note: please liaise with the Data Manager to help support any requests.

## 8.0 Data Accountability

### Context

The accountability principle requires The LDWA to take responsibility for what is done with personal data and how it complies with the other principles.

The LDWA must have appropriate measures and records in place to be able to demonstrate compliance. All volunteers at a local or national level who handle personal data on behalf of the LDWA must be aware of their responsibilities under this policy.

Negligently breaching this policy may result in action being taken on the local group or individual concerned. Disclosing personal data in breach of this data protection policy may also be a criminal offence.

## The LDWA Commitments

The Directors of the LDWA take ultimate responsibility for Data Protection. The Directors have formally appointed a Board member as its Data Protection Officer.

The LDWA will :

- Adopt and implement a data protection policy that is reviewed regularly.
- Provide further guidance to members and local groups in the forms of this data protection user guide.
- Ensure that written contracts are in place with other organisations that process personal data on our behalf. These third parties out set out in section 7.
- Mandate that all local groups must identify a member of their committee to be the person responsible for ensuring compliance with the Data Protection Policy. This person will have responsibility for managing the personal data of the Local Group's members. In the absence of appointing an individual this role resides with the Chair.

If you have any concerns around adherence to this policy or wish to exercise any of your rights under Data Protection and Privacy legislation, then you can contact the Data Protection Officer:

Name: Bill Milbourne

Email: [datamanager@LDWA.org.uk](mailto:datamanager@LDWA.org.uk)

## 9.0 Monitoring and review

This User Guide was last updated on 09 March 2023 and is regularly monitored and reviewed.