



The Mercedes-Benz Club Ltd

General Data Protection Regulation, Policies and Procedures

Background

The Mercedes-Benz Club Ltd, referred to as the “Club” understands and accepts its obligations under General Data Protection Regulation, referred to as the “GDPR”. These Policies and Procedures are provided to ensure that the Club’s Directors and Officials understand these obligations and abide by the principles of Data Protection set out below:-

That information is:

- used fairly and lawfully
- used for limited, specifically stated purposes
- used in a way that is adequate, relevant and not excessive
- accurate
- kept for no longer than is absolutely necessary
- handled according to people’s data protection rights
- kept safe and secure
- not transferred outside the UK without adequate protection

The Club

The Club is an enthusiasts’ members club whose purpose is to further the interests of people who have an affinity to, and obtain enjoyment from, the Mercedes-Benz marque via social events, technical advice, member discounts etc. It is limited by guarantee and therefore owned by its members and run on a non-profit making basis by a Board of Directors and around 100 other officials working as volunteers in their spare time. An annual membership fee is levied to support the Club’s activities. The Club has an office employing a small number of secretarial staff and contracts with an Editor for its monthly magazine. Specialist services are paid for as required.

Compliance

The Information Commissioners Office, referred to as the ICO, has issued a 12 point guidance plan for the benefit of organisations implementing and complying with the GDPR Regulations. This guidance has been followed in the setting out of the Club's procedures and documentation that follow.

1. Awareness

(1.1) The Board of Directors has been briefed and has approved the Club's GDPR policy. GDPR forms a regular part of the Board Meeting agenda to discuss issues arising, updates and changes that may be required.

(1.2) The content of this policy and associated forms and documents are available to read on the public side of the Club website.

(1.3) Club Officials may not have access to Members' data without first signing the Club's GDPR Confidentiality agreement. In addition they are provided with guidance information for the use of members' data on their own computer and to ensure its continuing confidentiality. This includes a commitment to destroy data when they leave office. Each official must sign to indicate that they understand and will comply with these rules.

(1.4) Copies of these forms will be stored by the Club and renewed each year. Every year an Officials Study Day will be held, a key part of the agenda will be GDPR updates and time will be allowed for questions from officials. Reference for guidance on the content of the policy will be made to the ICO where necessary, and if appropriate changes made.

2. Data Storage

(2.1) Members' data is stored purely for the use of the Club in administering the Club's membership services and events and in the distribution of its monthly magazine, Mercedes Classic magazine and membership cards.

(2.2) It is not passed to other organisations for commercial or any other purposes, with the exception that members who are participating in events, and where the information is necessary, will have their details passed to hotels, transport providers etc. This will be limited to the information provided by the member for participation in the event.

Supporting forms are listed at the end of this Policy.

(2.3) The Club stores the following information centrally:-

Members' name and address and Post Code
Membership fee paid or due – single or joint
Telephone number

Email address
Membership renewal date
Cars owned, where given.

(The minimum age for membership is 18)

(2.4)This information is stored on a central computer database with recognised anti-virus protection and backed up via an external secure server each day.

To ensure the safe and legal use of this data the Club has appointed two officials:

The Data Controller is Philip Greaves. Director and Company Secretary

The Data Processor is Geoff D’Cruze. Membership Services Director

Both may be contacted at the address at the end of this Policy.

In order that officials may contact members to inform them of future activities a selected part of the members’ database is made available to them either based on geography or model type. This information is only released following the receipt of a signed copy of the Club Officials Data Confidentiality Agreement, which is accompanied by data guidance information.

Data is then distributed to each official via Google email for storage on their own computer, which must be protected by anti-virus software.

(2.5)Personal data will normally be destroyed after a period of 10 years, unless a member or former member requests destruction at an earlier date.

(2.6)The Club shop, which is a franchised operation run on behalf of the Club, has an agreement in place not to retain information longer than required to receive payment or supply goods ordered.

(2.7)A confidentiality agreement is in place with the mailing house for the distribution of the Club magazine.

3. Communicating Privacy Information

(3.1)The Club’s Privacy Notice sets out how and why information is used to administer the services that are an integral part of the membership package. It further explains what rights members or individuals who cease to be members have and how to change this information including its deletion from the Club database.

It is available to anyone by a request to the Club Data Controller and can be viewed on the Club website. It will also be sent to all new members.

4. Individuals Rights

(4.1)The GDPR includes the following rights for individuals:-

The right to be informed

The right to access

The right to rectification

The right to erasure

The right to restrict processing

The right to data portability

The right to object

The right not to be subject to automated decision-making including profiling.

A request for further information on the above rights may be made by members to the Data Controller

(4.2)Whilst it is unlikely that members would request data portability, any such requests will be complied with, it may be that employees would, for instance relating to a pension contract. Where this arises the data will be made available in a commonly used format agreed with the Data Controller and with the approval of the Board of Directors.

(4.3)Where a member requests that their total data information be deleted it will be done at the discretion of the Data Controller, following the receipt of legal advice, if other issues are involved.

5. Subject Access Requests

(5.1)Under normal and reasonable circumstances the Club will deal with Subject Access Requests promptly and no later than one month from receipt of request.

(5.2)The Club may refuse a request on the basis of it being unfounded, too broadly based, repetitive or vexatious.

Where this is the case the Club will inform the individual why and notify them that they have the right to appeal to the supervisory authority and/or judicial remedy within one month.

6. Lawful basis for processing personal data

(6.1)The Club processes personal data purely for the administration of member services and participation in Club events. This is set out clearly in the Privacy Policy.

7. Consent

(7.1)The Club only stores and processes personal data for the administration of Club membership and activities. Therefore no consent is sought for the use of this data, as it is assumed that is why the member is joining the club.

(7.2)Should a member wish to be a member but not receive the Club magazine, membership card, event information etc, they may inform the Data Controller that they wish their data to be removed from the central database.

(7.3)Where people, members or others, visit the Club website they will be informed of the club Policy on “Cookies” at the time of entering the website.

8. Children

(8.1)The Club does not allow members under the age of 18 years and therefore does not store information belonging to children. If a doubt of age entitlement arises and proof is not forthcoming membership will be automatically refused or terminated.

9. Data breaches

(9.1)The Club is aware of its obligations to prevent data breaches and operates a secure system for data storage and transfer.

(9.2)The Club’s website provider and developer has agreed to inform the Club of any data breach from the Club database

However, the type of data stored by the Club is unlikely to risk the rights and freedom of individuals and should a breach occur it would not normally be necessary to inform the ICO.

But if there is a doubt the ICO will be consulted.

(9.3)The Data Controller will always be informed in such cases and a formal review carried out within 7 days to investigate how the breach occurred and how future breaches will be prevented. The review will also consider if it is necessary to inform the individuals whose data is involved.

10. Design and Data Protection Impact Assessment

(10.1) Under the guidelines set out by the ICO the Club has not produced a DPIA, the reasons for this are laid out in a separate document and can be viewed on request to the Data Controller.

11. Data Protection Officers

(11.1) Responsibility for Club members' data security lies with all Club officials who are in possession of it, in addition two Directors have been designated to oversee what data is stored, how it is processed and used.

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Furthermore it is their responsibility to report to the Board of Directors on data security issues and to advise the Board of changes that may be required to this policy in the light of experience or changes in the regulations. Where such changes are regarded as urgent then consultations will take place via email otherwise issues will be raised at Board meetings.

12. International

(12.1) The Club does not have offices in any other EU member state, although it does organise events to EU states exclusively for Club members and also operates a Region of the Club in the Republic of Ireland.

(12.2) The vast majority of the Club's membership falls within the UK and therefore the Club has designated the UK ICO as the Data Protection Supervisory Authority. All data processing decisions are made by the Board of Directors in the UK and central data storage and processing is carried within the UK.

(12.3) Officials resident or operating in the Republic of Ireland are subject to the same data storage rules as officials in the UK.

(12.4) Where events are organised that encompass activities outside the UK but in the EU, whether that be in the members vehicle, organised central travel or otherwise - then the appropriate booking form for the event will inform participating members that their data will be shared with hotels, travel companies etc purely for the purposes of participating in the event, not used for any other purpose and destroyed after the event has taken place. Event organisers will obtain confirmation of this from travel providers and hotels in advance of the event.

13. Updates and review

(13.1) This policy and procedures guidance will be reviewed on an annual basis, from May 2018, or at such time as events and experience dictate in order to ensure the Club's continued compliance with the GDPR.

If you have queries about this guidance or wish to exercise your rights under the regulations, please contact the Company Secretary or Data Controller at the address below.

The Mercedes-Benz Club Limited

30 Scotgate

Stamford

PE9 2YQ

May 2018

The following documents are associated with these policies and procedures and can be viewed on the Club website or on request to the Data Controller at the above address:-

Club Officer Confidentiality agreement

Officials Data usage and support guidelines

Data access request form

Privacy Policy

Individual rights statement

Out of date rules

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