

Gateshead Football Club Foundation



Data Protection Policy

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Introduction

Gateshead Football Club Foundation processes information as an essential part of its business function. This includes confidential information about businesses and individuals. Information is a valuable asset and business continuity is dependent on its integrity and continued availability. Therefore, these procedures are in place to protect the information under our control from unauthorised use, disclosure or destruction, either accidental or deliberate.

Gateshead Football Club Foundation will comply with all legislative and regulatory requirements in this respect and this policy and procedure will be monitored and updated as required.

The information within this policy and procedure is important and applies to all members and volunteers at Gateshead Football Club Foundation. Non-compliance may result in disciplinary action.

Purpose

The primary purpose of data protection legislation is to protect individuals against possible misuse of information held about them by others. It is the policy of Gateshead Football Club Foundation to ensure that all members of staff are aware of the requirements of data protection legislation and their individual responsibilities in this connection.

The General Data Protection Regulation (GDPR) (*Regulation (EU) 2016/679*) is a regulation by which the European Parliament, the Council of the European Union and the European Commission intend to strengthen and unify data protection for all individuals within the European Union (EU). It also addresses the export of personal data outside the EU. The GDPR aims primarily to give control back to citizens and residents over their personal data and to simplify the regulatory environment for international business by unifying the regulation within the EU.

The GDPR relates to the collection and processing of **personal data** which means any information relating to **living individuals**. This can be as little as a name and address. This personal data may be information held on computer or in structured manual files. The GDPR also refers to **sensitive personal data** which means information relating to a person's racial or ethnic origins; political beliefs; religious or other beliefs; trade union membership; physical or mental health; sexual life; criminal allegations or criminal proceedings or convictions.

Gateshead Football Club Foundation holds and processes information about its members, volunteers, charities and other living individuals.

Data Protection Officer

The Data Protection Officer shall meet the requirements and obligations as laid out in *Art. 37-39* of the GDPR and Gateshead Football Club Foundation shall provide support in the performance of these tasks by providing the resources necessary to carry out those tasks and access to personal data and processing operations, and to maintain his or her expert knowledge.

The GDPR, (under *Art. 37*) states that a company must designate a DPO if they are:

- a public authority (except for courts acting in their judicial capacity);
- an organisation that carries out the regular and systematic monitoring of individuals on a large scale; or
- an organisation that carries out the large-scale processing of special categories of data, such as health records, or information about criminal convictions.

As detailed within *Art. 39* of the GDPR, the tasks of the DPO are:

- to inform and advise the controller or the processor and the employees who carry out processing of their obligations pursuant to the GDPR and other data protection laws as applicable;
- to monitor compliance with the GDPR, with other Union or Member State data protection provisions and with the policies of the controller or processor in relation to the protection of personal data, including the assignment of responsibilities, awareness raising and training of staff involved in processing operations, and the related audits;
- to provide advice where requested regarding the data protection impact assessment and monitor its performance pursuant to *Art. 35*;
- to act as the contact point for individuals whose data is processed (employees, customers etc) as well as the local supervisory authority on issues relating to processing, including the prior consultation referred to in *Art. 36*, and to consult, where appropriate, regarding any other matter.
- to cooperate with the local supervisory authority;

All queries about Gateshead Football Club Foundation policy, procedure in relation to data protection and all requests for access to personal data should be addressed to the Data Protection Officer at the following contact details;

Email: info@gfc-foundation.org.uk
Phone: 0191 4783883

Responsibility as a Data Controller

Gateshead Football Club Foundation has an obligation as a Data Controller to notify the Information Commissioner's Office (formerly Data Protection Commissioner) of the purposes for which it processes personal data.

Gateshead Football Club Foundation agrees to fully cooperate, on request, with the Information Commissioner's Office in the performance of its tasks.

As detailed within *Art. 24* of the GDPR, Gateshead Football Club Foundation agrees to implement appropriate technical and organisational measures to ensure and to be able to demonstrate that processing is performed in accordance with the Regulation.

Appropriate data protection policies will be implemented as required within the subsidiary companies.

Data protection by design and by default

In accordance with *Art. 25* of the GDPR, Gateshead Football Club Foundation shall implement appropriate technical and organisational measures for ensuring that, by default, only personal data which are necessary for each specific purpose of the processing are processed.

The GDPR makes privacy by design an express legal requirement, under the term 'data protection by design and by default'. It also makes PIAs – referred to as 'Data Protection Impact Assessments' or DPIAs – mandatory in certain circumstances.

A DPIA is required in situations where data processing is likely to result in high risk to individuals, for example:

- where a new technology is being deployed;
- where a profiling operation is likely to significantly affect individuals; or
- where there is processing on a large scale of the special categories of data.

That obligation applies to the amount of personal data collected, the extent of their processing, the period of their storage and their accessibility. In particular, such measures shall ensure that by default personal data are not made accessible without the individual's intervention to an indefinite number of natural persons.

If a DPIA indicates that the data processing is high risk, and Gateshead Football Club Foundation cannot sufficiently address those risks with the systems either already in place or proposed to be implemented, Gateshead Football Club Foundation will be required to consult the ICO to seek its opinion as to whether the processing operation complies with the GDPR.

Legal obligations

Gateshead Football Club Foundation is obliged to abide by the data protection principles embodied in the Regulation. *Art. 5* of the GDPR requires that personal data shall:

- a) Be processed lawfully, fairly and in a transparent manner in relation to individuals;
- b) Be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c) Be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;

- d) Be accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that is inaccurate, having regard to the purposes for which they are processed, is erased or rectified without delay;
- e) Be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and;
- f) Be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

In addition, the Article requires that data controllers shall be responsible for and be able to demonstrate compliance with the above principles.

Processed lawfully, fairly & transparently

‘Processing’ of data will, in practical terms, mean anything done with the data, including obtaining the information, accessing it, updating it, printing it, disclosing it etc. All these things must be done ‘fairly and lawfully’.

To comply with this principle, whenever Gateshead Football Club Foundation collects information about people, those people should be made aware that it is Gateshead Football Club Foundation they are giving their information to and be told what Gateshead Football Club Foundation intends to do with that information if not obvious. People should not be misled about this. This rule applies whether the information is collected on-line, in writing or via the telephone.

Additionally, a condition for processing must be satisfied. Art. 6 of the GDPR states that processing of personal data shall be lawful only if and to the extent that at least one of the following applies:

- a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- c) processing is necessary for compliance with a legal obligation to which the controller is subject;
- d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;
- e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

In the case of special categories of personal data, a further condition must also be met in order to process it as prescribed within *Art. 9* of the GDPR. See additional conditions at [Appendix 1](#).

Held only for specific purposes

The register entry identifies the purposes for which data are held and processed by Gateshead Football Club Foundation. If you wish to use data for any additional purpose(s) then you must consult the Data Protection Officer before doing so.

Under *Art. 5* of the GDPR, personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes.

Adequate, relevant and not excessive

Collect and process appropriate information, and only to the extent that it is needed to fulfil contractual & operational needs or to comply with any legal requirements. Do not process data excessively or any irrelevant data that may be provided by clients.

Where processing is based on explicit consent, such as regarding processing with the intention to market to clients, Gateshead Football Club Foundation shall be able to demonstrate that the data subject has freely consented to processing of his or her personal data for this purpose.

The data subject shall have the right to withdraw his or her consent at any time unless this infringes on the ability of Gateshead Football Club Foundation to fulfil contractual & operational needs or to comply with any legal requirements. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal. Prior to giving consent, the data subject shall be informed thereof. It shall be as easy to withdraw as to give consent and this must be recorded adequately.

Accurate and kept up-to-date

Ensure the quality of data that is collected and used. Errors in the recording of data can subsequently cause problems for Gateshead Football Club Foundation and individuals alike.

Clients should be given the ability to update the personal data that is held on them by Gateshead Football Club Foundation in a simple, straightforward manner if it is inaccurate or incomplete.

Notifications made by clients that data held on them is required to be rectified must be acted upon within a period of one month, or two months if the request for rectification is complex.

Not kept for longer than necessary

Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

Processed in accordance with an individual's rights

The GDPR provides individuals with rights in connection with the personal data held about them. Most significantly, it provides the right of access to that data. It also provides the right to seek compensation through the courts for damage and distress suffered because of inaccuracy or the unauthorised destruction or wrongful disclosure of data.

The GDPR includes the following rights for individuals:

- the right to be informed;
- the right of access;
- the right to rectification;
- the right to erasure;
- the right to restrict processing;
- the right to data portability;
- the right to object; and
- the right not to be subject to automated decision-making including profiling.

The full list of rights that data subjects hold is detailed within Chapter 3 (*Art. 12-23*) of the GDPR.

Right to be informed

Under *Art. 12-14* the GDPR provides individuals with the right to be informed about what data is collected about them, what it is used for and who has access to this data.

Gateshead Football Club Foundation will aim to provide this information within a Privacy Notice that is freely available to individuals in a manner that is;

- concise, transparent, intelligible and easily accessible;
- written in clear and plain language, particularly if addressed to a child; and
- free of charge.

The objective of providing a privacy notice is to display that Gateshead Football Club Foundation is acting in a fair and open way in relation to the data processed and should contain the following information;

- Identity and contact details of the controller (and where applicable, the controller's representative) and the data protection officer
- Purpose of the processing and the lawful basis for the processing
- The legitimate interests of the controller or third party, where applicable

- Categories of personal data that are to be processed
- Any recipient or categories of recipients of the personal data
- Details of transfers to third country and safeguards
- Retention period or criteria used to determine the retention period
- The existence of each of data subject's rights

The right to withdraw consent at any time, where relevant

- The right to lodge a complaint with a supervisory authority
- The source the personal data originates from and whether it came from publicly accessible sources
- Whether the provision of personal data is part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data
- The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences

Right of access

In relation to the right to be informed and the right of access, under the GDPR, individuals will have the right to obtain:

- confirmation that their data is being processed;
- access to their personal data; and
- other supplementary information: this largely corresponds to the information that should be provided in a privacy notice.

The GDPR clarifies that the reason for allowing individuals to access their personal data is so that they are aware of and can verify the lawfulness of the processing.

Any person has the right of access to any personal data Gateshead Football Club Foundation hold about them either on computer or in a structured manual file as defined within *Art. 15* of the GDPR. To exercise this right, they should put their request in writing to the Data Protection Officer.

Please note that Gateshead Football Club Foundation do not request a monetary fee to be paid in order to facilitate subject access requests or any other lawful requests for personal data to be provided. However, for any further copies requested by the data subject, Gateshead Football Club Foundation may charge a reasonable fee based on administrative costs. Where the data subject makes the request by electronic means, and unless otherwise requested by the data subject, the information shall be provided in a commonly used electronic form.

The right of a data subject to obtain a copy of any data held on them by Gateshead Football Club Foundation shall not adversely affect the rights and freedoms of others.

Gateshead Football Club Foundation is obliged to respond to such requests within 1 month of receipt of the request. Therefore, it is essential that such a request is recognised by all members of staff and is passed expeditiously to the Data Protection Officer to deal with.

For all cases in which a Subject Access Request is made the data subject will be provided with a copy of the data held on them by Gateshead Football Club Foundation in a structured, commonly used and machine-readable format which matches the data portability requirements.

The Data Protection Officer will record all such requests and ask all departmental heads to search their computer and manual files for data concerning the applicant.

Altering or deleting information after such a request has been made and in order to prevent disclosure of the information is a criminal offence. However, this does not prevent any change to the data which would be made in the normal course of business.

For specific information regarding this topic please refer to the Subject Access Request policy.

Right of rectification

Art. 16 of the GDPR provides individuals with the right to have their personal data rectified if it is inaccurate or incomplete.

Notifications to rectify data can come directly from the data subject, from a third party, or could be identified from within Gateshead Football Club Foundation itself. Regardless of the origin of the notice, Gateshead Football Club Foundation should act to rectify the inaccurate or incomplete data as soon as practical, and at the latest within one month, following notification that the data is needing to be rectified.

If the request for rectification is determined to be complex then the time to comply with the request can be extended by two months, however, an appropriate justification must be given for this.

This requirement extends to any third parties that process data on behalf of Gateshead Football Club Foundation who must instruct the third parties to amend any and all records that they may have within the same timescales.

Under *Art. 19*, Gateshead Football Club Foundation is required to communicate to the data subject and any third-party processors in circumstances where the personal data has been corrected unless this proves impossible or involves disproportionate effort. Gateshead Football Club Foundation must also inform the data subject about the third parties if it is requested.

Right to erasure

The GDPR requires controllers to promote individuals' rights. This includes the right to erasure, as set out in *Art. 17*.

The right to erasure means that data subjects may, in some circumstances, request that their personal data be erased and, therefore, no longer processed. Data subjects may request erasure under the following circumstances:

- If the personal data is no longer necessary for the purpose for which it was collected.
- If the processing is based on consent, and the data subject withdraws that consent.

- If the processing is based on the controller's legitimate interest, the data subject objects to the processing and the controller is unable to demonstrate that its legitimate interest overrides the interests or the fundamental rights and freedoms of the data subject.
- If the processing is unlawful.
- If the personal data must be erased for compliance with EU or member state law.
- Or, finally, if consent was given when the data subject was a child (either by the child or a legal guardian); the consent may then be withdrawn, even if the individual is no longer a child.

The right to erasure cannot be implemented if the data controller is required to retain data for lawful purposes, which includes for the purposes of reporting tax information to HMRC and for regulatory reporting/record keeping purposes as prescribed by the Financial Conduct Authority.

Under *Art. 19*, Gateshead Football Club Foundation is required to communicate to the data subject and any third-party processors in circumstances where the personal data has been erased unless this proves impossible or involves disproportionate effort. Gateshead Football Club Foundation must also inform the data subject about the third parties if it is requested.

Right to be forgotten

The right to be forgotten (as defined within Recital 66) is an extension of the right to erasure and applies when data has been made public by the controller: for example, posting personal data on a publicly accessible website.

If the individual requests erasure in this case, Gateshead Football Club Foundation must take reasonable steps 'to inform the controllers which are processing such personal data to erase any links to, or copies or replications of those personal data'.

As with the Right to Erasure, exemptions apply to when this action can be taken, please see 12.4 above.

Right to restriction of processing

The right to restriction, as set out in *Art. 18*, allows for personal data to continue being stored without being further processed.

Art. 4(3) defines restriction as 'the marking of stored personal data with the aim of limiting their processing in the future'.

Restriction provides an alternative to erasure in circumstances where storing the personal data is legally required, ensures the protections of another person's rights or is in the public interest.

Data subjects may request their personal data to be restricted for the following reasons:

- The accuracy of the data is contested by the data subject, and Gateshead Football Club Foundation needs time to verify accuracy
- The processing is unlawful, but the data subject prefers restriction to erasure of the personal data.

- Gateshead Football Club Foundation no longer needs the personal data, but the data subject needs it to be saved for the establishment, exercise or defence of legal claims.
- Or the data subject objects to the processing, pending Gateshead Football Club Foundation 's attempt to verify legitimate grounds.

Once restricted, personal data may only be processed with new consent from the data subject, to exercise or defend legal claims, to protect the rights of another person, or for important public interest reasons. Gateshead Football Club Foundation must inform the data subject before a restriction of processing is lifted.

In addition, for circumstances in which the processing of data has been restricted, this should be clearly indicated within the system the data is held in.

Right to data portability

This individual right follows on from the Right of Access and allows individuals to obtain and reuse their personal data for their own purposes across different services including allowing them to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without hindrance to usability. This is set out within *Art. 20* of the GDPR.

Gateshead Football Club Foundation will provide the personal data in a structured, commonly used and machine-readable form. Open formats include CSV files. Machine readable means that the information is structured so that software can extract specific elements of the data. This enables other organisations to use the data. This information will be provided free of charge, without undue delay and, at the latest, within one month of the request being made.

This can be extended by two months where the request is complex or if several requests are received. You must inform the individual within one month of the receipt of the request and explain why the extension is necessary.

If the personal data concerns more than one individual, consideration must be made as to whether providing the information would prejudice the rights of any other individual.

In situations where Gateshead Football Club Foundation refuse to take action in response to a request, an explanation will be given to the individual explaining why this decision has been made and informing them of their right to complain to the supervisory authority and to a judicial remedy without undue delay and at the latest within one month.

For specific information regarding this topic please refer to the Subject Access Request policy.

Right to object

As defined within *Art. 21*, Individuals have the right to object to:

- processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling);
- direct marketing (including profiling); and
- processing for purposes of scientific/historical research and statistics.

Individuals must have an objection on “grounds relating to his or her particular situation”.

Gateshead Football Club Foundation will be required to stop processing the personal data unless:

- you can demonstrate compelling legitimate grounds for the processing, which override the interests, rights and freedoms of the individual; or
- the processing is for the establishment, exercise or defence of legal claims.

Gateshead Football Club Foundation will inform individuals of their right to object “at the point of first communication” and within the privacy notice where it will be explicitly brought to the attention of the data subject and shall be presented clearly and separately from any other information.

Rights related to automated decision-making including profiling

Art. 22 states that Data Subjects shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.

The GDPR makes it clear that right will not apply in circumstances where the type of decision-making is:

- necessary for the entry into or performance of a contract; or
- authorised by Union or Member state law applicable to the controller; or
- based on the individual’s explicit consent.

GFC CF are required to identify whether any of the data processing falls under *Art. 22* and, if so, make sure that we:

- give individuals information about the processing;
- introduce simple ways for them to request human intervention or challenge a decision;
- carry out regular checks to make sure that your systems are working as intended.
- Have implemented suitable measures to safeguard the data subject’s rights and freedoms and legitimate interests

Data to be kept secure

In relation to security, GFC CF must take appropriate technical and organisational measures against unauthorised or unlawful processing of personal data and against accidental loss or destruction of or damage to personal data and set out specific considerations for ensuring security.

Members will keep confidential that information which is provided to Gateshead Football Club Foundation to conduct its business and may only disclose it when authorised to do so.

Members of staff are responsible for ensuring that:

- All personal data is kept securely by using, preserving and not sharing, secure passwords, logging off when not at one's workstation, locking data in filing cabinets or drawers, ensuring desks are clear when leaving the office and locking doors.
- Data in transit is encrypted.
- All physical documents containing personal data or other confidential information are securely shredded when no longer needed.
- Personal data is not disclosed orally. In writing or by any other means to any unauthorised third party, and that every reasonable effort will be made to ensure that data is not disclosed accidentally.

Those persons and organisations who process personal data on behalf of Gateshead Football Club Foundation (but who are not employees of True Potential) are classed as 'data processors' by the Act.

There is a legal obligation for Gateshead Football Club Foundation to have a **written contract** with them in relation to the security of the data whilst in their custody. Such contracts are arranged, monitored and maintained by the Data Protection Officer who is also responsible for ensuring the security procedures are inspected.

Transfer of data outside the European economic area

As set out in Chapter 5 (*Art. 44-50*), personal data may only be transferred outside of the EU in compliance with the conditions for transfer set out in the GDPR. Transfer of personal data outside the EU is generally prohibited unless:

- the jurisdiction in which the recipient is located is deemed to provide an adequate level of data protection;
- the data exporter puts in place appropriate safeguards; or
- a derogation or exemption applies.

The GDPR provides derogations from the general prohibition on transfers of personal data outside the EU for certain specific situations. A transfer, or set of transfers, may be made where the transfer is:

- made with the individual's informed consent;
- necessary for the performance of a contract between the individual and the organisation or for pre-contractual steps taken at the individual's request;
- necessary for the performance of a contract made in the interests of the individual between the controller and another person;
- necessary for important reasons of public interest;
- necessary for the establishment, exercise or defence of legal claims;
- necessary to protect the vital interests of the data subject or other persons, where the data subject is physically or legally incapable of giving consent; or
- made from a register which under UK or EU law is intended to provide information to the public (and which is open to consultation by either the public in general or those able to show a legitimate interest in inspecting the register).

Personal data may be transferred to an organisation outside of the EU where the organisation receiving the personal data has provided adequate safeguards. Individuals' rights must be enforceable and effective legal remedies for individuals must be available following the transfer.

Adequate safeguards may be provided for by:

- a legally binding agreement between public authorities or bodies;
- binding corporate rules (agreements governing transfers made between organisations within in a corporate group);
- standard data protection clauses in the form of template transfer clauses adopted by the Commission;
- standard data protection clauses in the form of template transfer clauses adopted by a supervisory authority and approved by the Commission;
- compliance with an approved code of conduct approved by a supervisory authority;
- certification under an approved certification mechanism as provided for in the GDPR;
- contractual clauses agreed authorised by the competent supervisory authority; or
- provisions inserted into administrative arrangements between public authorities or bodies authorised by the competent supervisory authority.

Responsibilities of individual members

A failure to comply with the provisions of the GDPR may render Gateshead Football Club Foundation and/or in certain circumstances, the individuals involved, liable to prosecution. This could also give rise to civil liabilities, enforcement action by the Information Commissioner and loss of reputation.

In particular, personal data held by Gateshead Football Club Foundation will not be accessed, by any person, for any personal reason or for anything other than a legitimate Gateshead Football Club Foundation business purpose. Such conduct constitutes a criminal offence.

All staff who record and/or process personal data in any form are encouraged to familiarise themselves with the general aspects of data protection contained in this policy and procedure.

Any breach of this policy may result in disciplinary proceedings being taken against the individual(s) involved in or causing the breach.

Review

Our Data Protection Policy is reviewed on a regular basis and at least on an annual basis.

Appendix 1

Conditions for processing SPECIAL CATEGORIES of personal data

Art. 9 of the GDPR sets out that the processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited unless one of the following conditions applies;

- a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;
- b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;
- c) processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;
- d) processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects;
- e) processing relates to personal data which are manifestly made public by the data subject;
- f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- g) processing is necessary for reasons of substantial public interest, based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;
- h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services based on Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;
- i) processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;
- j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Art. 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.