VATéir - Data Protection and Handling Policy

Version 1

1. Introduction

1.1 Purpose of Policy

This policy has been put in place to achieve:

- Compliance with the European General Data Protection Regulation (GDPR)
- To protect users of our services

1.2 Types of Data Collected

VATéir collects a range of data from members provided to us through our services and from third parties.

1.2.1 Data provided to us by a Third Party

VATéir obtains a select amount of data from the VATSIM organisation when a user accesses our website through the CERT system. This data includes:

- Full Name
- Email
- Country of Residence
- Their simulated Air Traffic Control and Pilot rating obtained on the VATSIM network
- Position of responsibility held on the VATSIM network

1.2.2 Data collected directly by VATéir

- Support Requests
- Training Records
- Any data submitted through forms on our systems

1.3 Policy Statement

VATéir has a responsibility to:

- Comply with European Data Protection Laws
- Follow good data protection practices
- Respect Individuals rights which includes but is not limited to:
  - The right of access
  - The right of rectification
  - The right to object
  - The right to erasure
- Provide appropriate guidance and training for staff members with access to personal data
- Report any possible breaches to the relevant authorities, even if not legally required to do so.

2. Responsibilities

2.1 vACC Staff

General Responsibility for ensuring data protection and compliance with regulations fall with the VATéir Staff Team.

2.2 Data Protection Officer

VATéir does not have an appointed Data Protection Officer as the organisation does not regularly process large amounts of data, the nature of the data collected and the circumstances surrounding the data collection.

2.3 Specific Department Heads

Several members of the VATéir staff Team has specific responsibilities to oversee others accessing personal data collected by VATéir:

- Training Director – ATC Training Records
- Technical Director – Access and control of stored data

Other staff members can be temporarily tasked with specific responsibilities regarding control and storage of data

2.4 Staff and Volunteers

All staff are required to read, understand and accept any policies and procedures that relate to the personal data that they may handle during their work within VATéir as detailed in this policy. VATéir always expects the highest standard of probity of all staff. No access to data can take place unless there is a valid reason and the necessary permission has been obtained

2.5 Enforcement

VATéir has a zero-tolerance policy towards inappropriate access of personal data stored on services related to the organisation. Any individual found to have accessed such data without the necessary permission will be prohibited from accessing such data.

3. Data Recording and Storage

3.1 Accuracy

VATéir considers data accurate across all of the organisation's services however human made mistakes can lead to discrepancies between the services.

3.2 Updating Data

A member may request for their data to be updated by making a request to data@vateir.org. However, the final decision on updating such information falls to the VATSIM Board of Governors.

3.3 Storage of Data

All data collected by VATéir is stored via databases through a custom web interface. Access directly to the databases is limited to key members of the Staff Team.

3.4 Retention of Data

Data is stored by VATéir for an indefinite period unless removal of data is request by a VATSIM member.

3.5 Archiving

VATéir does not archive any data at this period of time. Data may be backed up during maintenance of VATéir services but is removed after completion.

4. Transparency

4.1 Commitment

VATéir is committed to ensuring all members of aware of what data is collected and why we collect such data.

- As outlined in the statement of legitimate interests, data is collected for the purpose of ensuring the provision of, and smooth operation of all of VATéir's services so members can enjoy their time associated with the organisation.
- Data may be transferred to organisations affiliated or associated with the VATSIM Network. Should we receive a request to transfer data from an external organisation we will inform the relevant individuals to seek permission to transfer said data.

4.2 Procedures

Details on how to exercise rights in relation to the data held is detailed in the relevant sections of this policy.

4.3 Responsibility

All staff within VATéir are responsible for the data they access at all times. The various groups most closely associated with members' data are the Technical Department and Staff Team. Where staff are required to use data for statistical and management purposes, anonymous aggregated or pseudonymised data will be used where possible.

5. Right of Access

5.1 Responsibility

Requests for personal data under the Right of Access are the responsibility of the Technical Director and their team. Such requests are to be compiled within one month of the request being received. If circumstances prevent this from occurring, an extension of a further two months may be instituted by VATéir, providing that the member making the request is informed of this before the expiration of the original one month deadline.

5.2 Procedure for making request

Right of access requests must be sent via email to data@vateir.org.

If staff at a lower level receive anything that might reasonably be construed to be a request for access, they have a responsibility to pass this to the Technical Director without delay.

5.3 Provision for verifying identity

Where the person managing the access procedure does not know the individual personally there should be provision for checking their identity before handing over any information.

5.4 Charging

VATéir will not charge any fee for processing or providing data for requests under the Right of Access

5.5 Procedure for granting access

The Technical Director is responsible for handling requests under the Right of Access provisions.

All requests are to be sent via email to data@vateir.org.

Only personal data will be shared with the member requesting data. Other individuals' data will be redacted before data is passed to the requesting member.

6. Right of Rectification

6.1 Responsibility

Accurate data is in the best interests of both the network and the membership. The Technical Director is responsible for the management of such requests.

6.2 Procedure for making request

Right of rectification requests should be made to data@vateir.org.

If staff at a lower level receive anything that might reasonably be construed to be a request of rectification, they have a responsibility to pass this to the Technical Director without delay.

6.3 Disputes

Where there is a dispute between a member and VATéir over the accuracy of data, the Technical Director shall be empowered to make the final decision on whether to alter data or not. This decision should be communicated to the member making the request within one calendar month of the request being made.

6.4 Charging

VATéir will not charge any fee for requests under Right of Rectification.

7. Lawful Basis

7.1 Underlying principles

VATéir asserts that it has a legitimate interest in collecting and storing the personal data outlined above. The reasons for this claim are:

VATéir is a voluntary community promoting flight simulations and virtual air traffic control, and all members seeking to join have an obvious interest in such activities.

The data collected is the minimum required to allow for the smooth and optimal running of the division, solely for the enjoyment of its members.

That the data is necessary to allow for VATéir staff to properly manage the vACC, both in day to day operations, and in circumstances where a member(s) may act in a manner contrary to the rules and regulations that govern the vACC.

7.2 Members under 16 years

VATéir relies on VATSIM to ensure that parental consent is collected from users unable to provide their own consent (because they fall below the minimum age to do so, as defined under the GDPR or other local regulations).

VATéir acknowledges its responsibility to inform VATSIM of any members that may be below this age and that are actively participating on the network without suitable consent.

7.3 Opting out

Notwithstanding VATéir's claim of legitimate interest, members may object to this claim and/or request that VATéir cease processing of a member's personal data. These two rights are known as the Right to Object, and the Right to Restrict Processing.

Members must be aware that if they choose to exercise either of these rights VATéir is obliged to lock their accounts in order to comply with their wishes and their request may be referred to VATSIM to take the appropriate action for their network account too.

7.4 Timing of opting out

While a notification of an objection to VATéir's claim of legitimate interest, or a request to suspend processing may be made at any time, such claims may not be made retrospectively.

8. Right of Erasure

8.1 Responsibility

Requests for personal data under the Right of Erasure are the responsibility of the Technical Director and their team. Such requests are to be compiled within one month of the request being received. If circumstances prevent this from occurring, an extension of a further two months may be instituted by VATéir, providing that the member making the request is informed of this before the expiration of the original one month deadline.

8.2 Procedure for making request

The Technical Director is responsible for handling requests under the Right of Erasure provisions.
Requests will be made via email to data@vateir.org.
If staff at a lower level receive anything that might reasonably be construed to be a request of rectification, they have a responsibility to pass this to the Technical Director without delay.

8.3 Provision for verifying identity

Where the person managing the access procedure does not know the individual personally there should be provision for checking their identity before handing over any information.

8.4 Charging

VATéir will not charge any fee for requests under Right of Erasure.

8.5 Procedure for granting erasure

VATéir shall evaluate all requests for erasure. VATéir reserves the right to train any data that it believes is in its legitimate interest to do so, or that is required to establish, exercise or defend any legal claims.

9. Staff Training & Acceptance of Responsibilities

9.1 Induction

All staff who have access to any kind of personal data should have their responsibilities outlined during their induction procedures. Formal guidance on data access and use of this data is explained within their induction.

9.2 Continuing Training

Opportunities to raise Data Protection issues shall be undertaking, including, but not limited to, during staff training, team meetings, and supervisions.

9.3 Procedure for staff signifying acceptance of policy

All staff within the vACC are required to agree to the relevant policies, as outlined above.