

PRIVACY NOTICE

INDEPENDENT COMMISSION FOR EQUITY IN CRICKET

About this document

This privacy notice explains how the Independent Commission for Equity in Cricket (“**Commission**”, “**we**”, “**our**”, “**us**”) collects, uses and shares (ie ‘processes’) your personal data, and your rights in relation to the personal data we hold.

About us

The Commission was established by the England and Wales Cricket Board Limited (**ECB**) to examine questions of equity in relation to race, gender and class within cricket. See our terms of reference for further information at <https://theicec.com/wp-content/uploads/2021/07/ICEC-Terms-of-Reference.pdf>. The Commission will independently seek and consider evidence on these matters and provide a safe vehicle for those involved in cricket to share their lived experiences without fear of reprisal. The Commission will then make evidence-based recommendations to the ECB about how to improve equity in cricket.

The ECB is the data ‘controller’ in respect of the processing of personal data by the Commission (and is registered with the Information Commissioner’s Office (**ICO**) with reference number Z4823136). This means that the ECB is the legal entity with ultimate responsibility for this processing. However, given that the Commission is operating on an arms length basis for the purposes of the review it is undertaking, the ECB and the Commission have taken steps to ensure the latter’s independence in how it processes personal data on a day-to-day basis. If you provide personal data to the Commission, it will be segregated from ECB data and will not be accessible to the ECB except in very limited circumstances (for example, where you consent to it being shared with the ECB or to the limited extent necessary for the ECB to satisfy its legal obligations – for further information about this, please see the “How we use your information and the legal bases for doing so” section below) in order to ensure that the Commission is able to operate independently. Further details about the data protection arrangements between the ECB and the Commission can be provided on request.

How the Commission will collect your information

We may collect your personal data in a number of ways, for example when you communicate with us by post, telephone, email etc, or when you submit written or oral evidence to us directly.

Youmeus Limited trading as Versiti (**Versiti**), a research, insight and strategy consultancy for equality and inclusion has been appointed to assist the Commission with its work. Versiti will collect your personal data through online surveys and follow up research sessions (if applicable) and will share anonymised reports and stories with the Commission. For details of how Versiti collects, uses and shares your personal data, and your rights in relation to the personal data Versiti holds, please visit:

https://www.versiti.co/wp-content/uploads/2021/10/privacy_link.pdf

The types of information we collect

We may collect the following types of personal data about you, where relevant:

- your name, title and relevant biographical information (eg job title and professional background);

- your contact information such as address, email address and telephone number (and, on an ongoing basis, any change of address details);
- records of communications and interactions we have had with you; and
- any other personal information you submit as part of the evidence you may provide to the Commission directly.

Given the scope and themes relevant to the work of the Commission, personal data processed by the Commission may require us to process more sensitive, 'special category' personal data (including data relating to racial or ethnic origin, health and sexual orientation), for example if you provide this information as part of any evidence submitted directly to the Commission.

How we use your information and the legal bases for doing so

1. Legitimate interests

We may process your personal data because it is necessary for our or a third party's legitimate interests. This will always be weighed against your rights, interests and expectations. Our legitimate interests include the operation of the Commission in accordance with our terms of reference. Examples of where we process personal data in accordance with our legitimate interests include:

- to correspond with you about our activities, including where you have requested information from us; and
- processing enquiries and carrying out our work leading to the written report we will publish at the completion of the Commission's process.

In this respect, we may also need to share your personal data with others (where this is necessary for our or a third party's legitimate interests) including:

- in limited circumstances, the ECB, in accordance with the parties' agreed data protection protocol; and
- third party service providers such as professionals who assist us in putting together our website and other content, and our IT support and data storage provider(s).

2. Legal obligations

We may also process your personal data for our compliance with applicable legal obligations. In this respect, we may use your personal data to comply with subject access requests, safeguarding requirements, for the prevention and detection of crime, and in order to assist the police and other competent authorities with investigations, should the need arise.

Please note however that, as per the Commission's terms of reference, it is not within the scope of our work to investigate individual cases or complaints. In limited circumstances, such as where a relevant safeguarding concern raises a risk to a child or an adult at risk, the Commission (where the complaint has come direct to the Commission) or Versiti (where the complaint has been received by Versiti as part of its information gathering exercise), may decide to pass on the complaint to a relevant body (including the ECB) or authority (such as the Police or Local Authority Designated Officer).

In this and similar respects, we may also provide your personal data to our professional advisers, where this is necessary for us to obtain their advice or assistance.

3. Consent

In some circumstances we may seek your specific consent to process your personal data: for example, if we wish to use your name, or an attributed quote on our website or in any materials we produce, including our final report.

If you have given your consent and you wish to withdraw it, please contact us using the contact details below. Please note that where our processing of your personal data does not rely on your consent, we may not be able to fulfil your request (please see the section entitled “Your Rights” below).

Processing special categories of data

Where we process sensitive (ie ‘special category’) personal data, other legal bases for processing may apply, including for reasons of substantial public interest (for example, for identifying issues around equality of opportunity or treatment in cricket), or where you have given us your explicit consent.

How long your information is kept

We may retain your personal data for as long as is necessary to fulfil our functions, and to protect our legal interests (for example where required by relevant authorities, or for a reasonable legal limitation period after the work of the Commission has formally concluded) or as otherwise stated to you when your data is collected, or for such period as we reasonably consider appropriate in connection with our relationship with you, or for record-keeping and archival purposes after the Commission completes its report. Any personal data will be archived in such a way as to maintain the segregation of the data on the ECB’s systems, and will be subject to appropriate access protocols to be determined at the conclusion of the Commission’s work.

Your rights

You have the following rights:

- to be informed what personal data we hold about you and/or to obtain access to it;
- to require us not to send you direct marketing communications;
- to require us to correct the personal data we hold about you if it is inaccurate;
- to require us (in certain circumstances) to erase your personal data;
- to request that we restrict our data processing activities (and, where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal);
- to receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller; and
- to object, on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on your rights.

Please note that the above rights are not absolute, and we may be entitled to refuse requests where exceptions apply: for example if we have reason to believe the personal data we hold is accurate or we can show our processing is necessary for a lawful purpose set out in this Privacy Notice.

We will manage requests we receive with the assistance of the ECB, to the extent required in the circumstances. We will endeavour to manage the request in such a way that your personal data is not shared with the ECB, unless we consider it reasonably necessary in the circumstances for the ECB to receive the information. Any sharing of personal data in this context will be restricted only to what is needed in order to fulfil the request.

In the event of the ECB itself receiving a request, where the ECB reasonably believes data within the scope of the request is held on our segregated systems, it will notify us and instruct us to conduct relevant searches of the relevant segregated systems and provide the relevant data to the ECB to enable the ECB to comply with its data protection obligations.

You can find out more about your rights under data protection legislation on the ICO website (www.ico.org.uk).

Contact information

If you have any questions about this privacy notice or how we process your personal data, or if you wish to exercise any of your rights under applicable law, you should contact us using the details below:

- info@theicec.com

If you would like to contact the ECB as the data controller of your personal data (and not the Commission), please email privacy@ecb.co.uk.

If you are not satisfied with how we are processing your personal data, you can make a complaint to the ICO. The ICO does recommend you seek to resolve any issues with the data controller initially prior to any referral.

29/10/21