

GDPR – WHAT DOES IT MEANS TO US

WHAT IS GDPR?

From the end of May, the Light Aircraft Association, as an organisation which holds personal data in the form of membership and aircraft ownership information, is required to comply with new legislation in the form of the EU General Data Protection Regulations (GDPR). These are designed to ensure more robust security and more transparency in the use of personal data.

The LAA's existing systems and databases were designed to be fully compliant with the old Data Protection Act of 1998, therefore most of our approach to compliance remains valid under the GDPR. However the GDPR places new specific legal obligations on the LAA. For example, we are required to maintain records of all personal data processing activities. We have a legal liability if we are responsible for a breach of confidential member data and members have a right to request sight of the data we hold on them, how it is used and if necessary, to request that data is removed from our database.

OUR OVERALL POLICY

The LAA holds personal data from members and data linked to aircraft built or operated by members. We only hold data when there is a justifiable need to do so and will remove data if it is no longer required. The LAA has robust security systems to protect data and information, and will promptly inform anyone affected should any breach occur. Finally (and most importantly), the LAA will not circulate any personal information to any third parties without prior consent.

WHAT WE HOLD

We currently hold data which is pertinent to GDPR in six main areas:

1. Member Data.

Obviously we need to hold details such as your name, address, contact number and email addresses in order to maintain contact and ensure you receive member services such as this magazine. We also hold data on your age and the type and duration of membership. If you've elected to pay your subscription via standing order, we also hold your bank details too. We don't normally hold 'paper' files these days; all records are held on a secure 'remote' membership database which can only be accessed by authorised staff with a password. If you own an aircraft; your membership data; name, address etc., is linked to information on the aircraft you own on the Engineering database.

If you don't renew your membership, we will hold your details for five years, in case you wish to rejoin and retain your old membership number. We also hold details of any correspondence sent and received. All credit card details are destroyed immediately upon completion of any transaction.

2. Engineering Data.

We hold details for every aircraft in the LAA fleet, both by type and by registration, in the latter case linked from the aircraft ownership database to member database. This includes lists of permit renewal dates and information, airworthiness status, repairs, modification and repair applications, correspondence sent and received. This information is held both electronically and as hard copy in a locked, secure archive. There is a legal requirement for us to hold aircraft files for CAA, AAIB scrutiny. The Engineering Administrators also process bank details for fees and transactions.

3. Transactional Data.

Details of any payments you make to the LAA are held electronically and in some cases as hard copy. This includes records of membership fees paid, permit renewal payments, training courses and merchandise sales. Records of sales transactions are held for one year in case we have to answer queries or offer refunds. All credit card details are immediately removed following any transaction..

4. Inspector Records.

Information is held by the Chief Inspector on LAA Inspectors: Name, address, age, qualifications, contact numbers and e-mail addresses, inspection approval categories, reports on reviews and competency assessments. Again there is a requirement to hold these linked to aircraft files for CAA, AAIB scrutiny.

5. NPPL Data.

We hold information processed on behalf of the CAA for the National Private Pilot Licence scheme. Name, address, contact numbers and e-mails and applicant age. As part of the licensing process we need to share details of payments with the CAA.

6. Employee Information.

We also of course hold details and working records for our members of staff, contractors and some volunteers. This is accessible only to senior personnel and the LAA Staff Handbook sets out the terms of access to staff members' own records.

It is noted too that every staff member and Board member holds personal information which comes under the jurisdiction of the GDPR, in the form of e-mails. Staff and Board members are been reminded in Codes of Conduct that all correspondence and address details held remain confidential, and all e-mails issued should contain a standard confidentiality notice.

In addition to information held at LAA HQ, LAA Member Clubs and Struts will also hold information such as member data which will require GDPR compliance. The LAA is briefing these organisations accordingly.

PRIVACY

All members, by completing their application, have effectively agreed to their use of their name and address, exclusively by the LAA, to ensure they receive benefits including Light Aviation magazine.

We fulfil the terms of the GDPR in having a lawful basis for processing this data, which is held on our database for the duration of their membership. In the case of lapsed membership, the data is held for a further five years to allow lapsed members to more easily rejoin. Deceased members' records are removed after two months.

Engineering data held on members will be held longer, as we have a requirement to hold records linked to aircraft to meet the needs of organisations such as the CAA and AAIB.

You'll see new privacy notices on any form requiring member input. These will confirm that *"personal data submitted may be stored electronically but will only be used in relation to the application, or to support the safety of any aircraft to which it relates. Statutory obligations excepting, personal data will not be passed on to third parties without your permission."*

INDIVIDUALS' RIGHTS

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.

We do not operate any data profiling processes. We will provide a member on request with the data we hold on them, if requested, in electronic format. Individuals will have the right to have their personnel data deleted where they believe it is being held without a practical or lawful basis. The CEO will make any final decisions about deletion or release of information.

We also acknowledge that individuals have a right to seek access to information held on LAA databases. We will comply with any such request within the new statutory one month period. However, we can refuse or charge for requests that are manifestly unfounded or excessive.

CHILDREN

There is a requirement to put systems in place to verify individuals' ages and to obtain parental or guardian consent for any data processing activity. This may be pertinent if Struts or LAA YES are holding information on individuals under the age of 16. A briefing on this is included in a SAFEGUARDING briefing which is being forwarded to LAA Struts and YES.

BREACHES OF DATA

LAA systems, using remote offsite servers separated from direct member access, already fulfill the GDPR's recommended 'privacy by design' approach. Should we become aware of any personal data breach, we will notify any member as rapidly as is feasibly possible.

Steve Slater

CEO