

## **RIDER PRIVACY NOTICE**

### **Summary of how we use your data**

- The British Horseracing Authority uses the data you provide in this form, and medical attachments, to administer your licence or permit application, administer and regulate horseracing in Great Britain and to ensure your health and welfare when racing in Great Britain.
- In order to ensure that your information can be provided to: BHA registered Racecourse Medical Officers; doctors and nurses employed by the racecourses; physiotherapists; other healthcare professionals; and concussion testing centres and neuropsychologists that we engage to provide such services to assess your care, we ask that you consent to the sharing of your medical information with such third parties. This consent is required for us to share your confidential medical records. The BHA uses your data otherwise for the purposes of occupational medicine. If you fail to provide this consent, or withdraw it in the future, we may still retain your data and may be required and entitled to prevent you from racing on safety grounds.
- The British Horseracing Authority also asks that you consent to our retention of your medical records to allow the creation of a research database to study the effects of concussion on riders and jockeys. This database will be accessed only by British Horseracing Authority doctors, although records may be shared with your consent or in anonymous form. You are entitled to opt out of this research at any time. Our legal basis for the processing is the carrying out of scientific research, which is in our legitimate interest. We do not process our research data with the purpose of taking decisions on particular jockeys.
- The British Horseracing Authority asks you to provide information in relation to your unspent criminal records history. This information will be processed to ensure the integrity of the sport, and we will be entitled to retain this information for this purpose.
- The British Horseracing Authority may also gather information about you from third party sources, particularly in relation to our integrity activities. More details on the information we collect from third party sources such as the public, the media and publicly available information, BHA and racecourse officials, the press and bookmakers are set out in the BHA's Integrity Privacy Notice, available on the BHA website.
- The British Horseracing Authority may share information in relation to your licence or permit history (including your medical information) with foreign racing authorities in other countries. Some of these authorities may be located outside of the European Economic Area.
- We may also share information we receive from or about you with other third parties as set out in more detail below.
- The British Horseracing Authority uses a number of different information systems. One of these systems, used to host our medical database, is currently based in Canada. We take steps to ensure your data is adequately protected whenever it is transferred outside the European Economic Area.

## **What does this policy cover?**

This policy describes how the British Horseracing Authority Limited (also referred to as "the BHA", "we" or "us") will make use of data provided to it by and about riders, particularly as part of the licence or permit application process. It does not describe the processing carried out by the BHA in relation to its integrity or anti-doping activities, which are covered in the BHA's [Integrity Privacy Notice](#) and [Anti-Doping Privacy Notice](#), both of which are available on the BHA website.

This policy also describes your data protection rights, including a right to object to some of the processing which the BHA carries out. More information about your rights, and how to exercise them, is set out in the "What rights do I have?" section.

## **What information do we collect?**

We collect and process personal data about you when you: complete your initial licence or permit application and subsequent renewals; complete your pre-licence skills and fitness assessment form; contact the BHA for support and guidance about a graded return to activity following a Covid-19 infection; and when you register any non-riding interests pursuant to the Rules of Racing. This includes all the information you provide to us in the application forms and in the medical attachments submitted alongside the form.

We may also generate information about you in order to help you complete your applications and help regulate and manage horseracing and ensure your welfare. In particular, we may hold and use information on whether you need particular assistance with completing your applications, need to be permitted to take specific medications or should be prevented from racing whilst recovering from an illness or injury.

## **What information do we receive from third parties?**

Sometimes, we receive information about you from third parties. In particular:

- we receive information about you from training providers in relation to your training and performance and any safeguarding concerns or investigations;
- we may receive information about you from our member organisations in relation to any safeguarding concerns or investigations;
- we may receive information about you from Racing Welfare in relation to any safeguarding concerns or investigations;
- we receive information about you from our appointed awarding organisation in relation to your qualifications;
- we may receive information about you from foreign racing authorities in relation to your performance in that jurisdiction, your registration, permit and licensing history and conduct and also your medical records in relation to your fitness to ride;
- we may receive information about your performance and conduct from racecourses and BHA and racecourse officials;
- we may receive information about you from other licensed, registered or permitted personnel;
- we receive, where you have given your consent to the appropriate health professional, assessments or details of your health as part of your medical attachments and otherwise during the course of your licence or permit;

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- we may seek information about you and your suitability and requirements for licence or permit from publicly available sources, such as through internet searches;
- we may collect some information for integrity purposes from a variety of sources such as the public, the media and publicly available information, the press, bookmakers and BHA and racecourse officials– this is discussed in more detail in the Integrity Privacy Notice.

### **How do we use this information, and what is the legal basis for this use?**

We process this personal data for the following purposes:

- As required by the BHA to conduct our business and pursue our legitimate interests, in particular:
  - we will use your information to process your application for a new or renewed licence or permit and ensure your suitability and requirements for licensing or permitting in accordance with measures we take to ensure the integrity of the sport;
  - we conduct appropriate occupational health assessments of you and your ability to race throughout the licence or permit period – as this involves sensitive data, this is also based on the BHA’s need to perform occupational medicine to ensure the working capacity and safety of riders;
  - we will use your health data and medical records to produce a research database to study the effects of concussion on riders and jockeys. As this involves sensitive data, this is also based on the BHA’s scientific research purposes. This database will be accessed only by British Horseracing Authority doctors, although records may be shared with your consent or in anonymous form. We do not process our research data with the purpose of taking decisions on particular jockeys.
  - we use your criminal records data, provided as part of the licence or permit application, to ensure the integrity of the sport;
  - we will contact you in relation to any rules or other information you may require as a licensed or permitted rider;
  - we will maintain records of horseracing results and share results with third party publishers of results;
  - we will monitor compliance with the Rules of Racing to ensure that breaches of the Rules are upheld and sanctioned (for more details, see our Integrity Privacy Notice and Anti-Doping Privacy Notice);
  - we will use data in connection with legal claims, compliance, regulatory and investigative purposes as necessary (including disclosure of such information in connection with legal process or litigation), such as selecting individuals for anti-doping testing; and
  - we use data of some riders to invite them to take part in industry research;
- Where you give your consent:
  - we will share information with third parties with whom you would like us to share data, such as medical specialists to assess an injury you have suffered;

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- in other circumstances where we rely on your consent, and have explained the use of data at that time, including email marketing as set out in the rider's licence or permit application.
- For purposes which are required by law:
  - in response to requests by government or law enforcement authorities conducting an investigation, including the Gambling Commission.

### **Relying on our legitimate interests**

We have carried out balancing tests for all the data processing we carry out on the basis of our legitimate interests, which we have described above. You can obtain information on any of our balancing tests by contacting us using the details set out later in this notice.

### **Withdrawing consent or objecting to direct marketing or research**

Wherever we rely on your consent, you will always be able to withdraw that consent, although we may have other legal grounds for processing your data for other purposes – in particular, whilst we seek your consent for sharing with and obtaining data from third party medical staff, we process medical data in order to ensure that you are fit to race and withdrawing consent may result in your being excluded from racing for safety reasons. You have an absolute right to opt-out of research processing, and of direct marketing, or profiling we carry out for direct marketing, at any time. You can do this by following the instructions in the communication where this is an electronic marketing message, or by contacting us using the details set out below.

### **Who will we share this data with, where and when?**

We may share information (including your medical information) relating to you with foreign racing authorities so that they may determine your fitness to ride in those jurisdictions or where you wish to participate otherwise in horseracing in a different jurisdiction or in order that they may contact you to request your assistance in an investigation. Some of these authorities may be located outside of the European Economic Area.

We will share your information with Weatherbys Limited, our data processor, who administer our racing database and provide racing related services to the BHA.

We will share your information with Racing Digital Limited, our data processor, who are developing a new racing administration system for the sport of horseracing.

We will share your information with the training providers in relation to any safeguarding concerns or investigations.

We will also share your information with the training providers in relation to your training and performance and to allow training providers (at which you have previously studied) to track industry retention and career retention of their alumni.

We may share your information with our member organisations in relation to any safeguarding concerns or investigations.

We will share your information with Racing Welfare and JETS in relation to your licensing/ permit history and any safeguarding concerns or investigations.

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We will share your information with the Professional Jockeys Association (PJA) so that they can represent your interests as a licensed jockey. More details on how the PJA handle your personal data can be sought directly from the PJA.

We will share your information with the Amateur Jockeys Association (AJA) so that they can represent your interests as a permitted rider. More details on how the AJA handle your personal data can be sought directly from the AJA.

We will share limited information with other licensed, permitted or registered personnel in relation to your standing as a rider.

We may share your information with the Point to Point Authority for the purposes of them checking your eligibility to ride.

We will share your information with the Injured Jockeys Fund so that they can provide you with physiotherapy services and offer support through the IJF almoner.

We will share your information with the Professional Riders Insurance Scheme to allow you to claim financial assistance in the event of an injury or illness that prevents you from working.

For amateur riders, we will share your information with our amateur riders insurance scheme service provider so that they can administrate claims.

We will share your information with external medical professionals for the purposes of your baseline and annual concussion testing and otherwise, where required, such as physiotherapists in order that may provide you with medical treatment.

We will share your information with data processors that provide IT services to the BHA such as rider performance management software, for the limited purpose of hosting, supporting and maintaining their software.

We will share information with the RCA and/ or racecourses in relation to entries, including any integrity concerns.

Personal data may be shared with government authorities and/or law enforcement officials if required for the purposes above, if mandated by law or if required for the legal protection of our legitimate interests in compliance with applicable laws.

Your information may be shared in particular with a medical database, used to ensure that relevant registered staff can access your medical records where required on racecourses.

Where information is transferred outside the EEA, and where this is to a stakeholder or vendor in a country that is not subject to an adequacy decision by the EU Commission, data is adequately protected by EU Commission approved standard contractual clauses, an appropriate Privacy Shield certification or a vendor's Processor Binding Corporate Rules. A copy of the relevant mechanism can be provided for your review on request.

### **What rights do I have?**

You have the right to **ask us for a copy** of your personal data; to **correct, delete or restrict** (stop any active) processing of your personal data; and to **obtain the personal data you provide to us for a**

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**contract or with your consent in a structured, machine readable format** and to ask us to **share (port) this data to another controller.**

In addition, you can **object to the processing** of your personal data in some circumstances (in particular, where we are carrying out research, where we don't have to process the data to meet a contractual or other legal requirement, or where we are using the data for direct marketing).

These **rights may be limited**, for example if fulfilling your request would reveal personal data about another person, where they would infringe the rights of a third party (including our rights) or if you ask us to delete information which we are required by law to keep or have compelling legitimate interests in keeping. Relevant exemptions are included in both the GDPR and in the Data Protection Act 2018. We will inform you of relevant exemptions we rely upon when responding to any request you make.

To exercise any of these rights, or to obtain other information, such as a copy of a legitimate interests balancing test, you can get in touch with us – or our data protection officer – using the details set out below. If you have unresolved concerns, you have the **right to complain** to an EU data protection authority where you live, work or where you believe a breach may have occurred. This is likely to be the Information Commissioner's Office in the UK.

### **How do I get in touch with you, or your data protection officer?**

We hope that we can satisfy queries you may have about the way we process your data. If you have any concerns about how we process your data, or would like to opt out of direct marketing, you can get in touch at [dataprotection@britishhorseracing.com](mailto:dataprotection@britishhorseracing.com) or by writing to either the Head of Legal or Data Protection Officer c/o British Horseracing Authority, 75 High Holborn, London, WC1V 6LS.

### **How long will you retain my data?**

Where we process licence and permit application data, we do this for as long as you hold a rider's licence or permit and for ten years after this. We retain top level data recording your name, dates of licence/ permit and licence/ permit type indefinitely in order to keep a record of the sport.

Where we maintain records of racing results, we hold this information indefinitely in order to keep a record of the sport.

Where we hold case files in relation to breaches of the Rules of Racing by registered, licensed or permitted personnel, we hold these for the period of the investigation plus twenty years from the date that the investigation is closed or for as long as you hold a licence, registration and/or permit (whichever the longer) so that we maintain adequate records in the event that you return to horseracing in the same or another registered or licensed profession or otherwise remain a person of interest under the Rules of Racing, by remaining connected to other licensed personnel.. In exceptional circumstances, we may retain case files for a longer period where the requirement for retention outweighs the requirement for deletion.

We publish decisions of our Judicial Panel on our website- these remain for seven years from the date of the decision, or in the case of disqualifications lasting longer than seven years, for as long as the disqualification is in place. We retain the written reasons of the Judicial Panel and top level details of the decision indefinitely in order to keep a record of the sport.

Where we hold copies of your medical records, we hold these for eight years following the date that your licence or permit expires or is otherwise terminated. We will, where we can contact you, ask if you would

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like to have your records shared with a relevant medical professional responsible for your ongoing care prior to deleting records.

Where your information is being held for research purposes as described above, relevant medical data will be retained for fifty years following the date that your licence or permit expires or is otherwise terminated. The reason for this retention period is so that we can retain data on the possible long term effects of concussion.