

DATA PRIVACY NOTICE



WHO ARE WE?

Jolly Gymnastics is the trading name of Erin Madden, Sole Trader. Jolly Gymnastics provides opportunities for pre-school and school-aged children to take part in recreational gymnastics classes, one off holiday sessions and events including our Club Competition.

British Gymnastics (BG) governs the sport, provides insurance for clubs and individual members and offers competitions and events. Jolly Gymnastics is a registered BG club and our members also register as individuals directly with BG.

Jolly Gymnastics takes your privacy seriously and will ensure your personal information is kept secure. As a data controller, we are committed to complying with our legal responsibilities under data protection law; the General Data Protection Regulation (GDPR).

WHO IS THIS NOTICE FOR?

This notice applies to you if you:

- Have parental responsibility for a gymnast attending our classes or events
- Have sent us your details to enquire about class availability/ to join our waiting

We have a separate Privacy Notice for staff and volunteers.

WHAT INFORMATION DO WE COLLECT ABOUT YOU?

The categories of personal information we process include:

- Full name
- Address
- Home and mobile phone numbers
- Email address
- Child's full name
- Child's gender
- Child's date of birth
- Any relevant medical conditions and/or disabilities and additional related information
- Emergency contact details

When you submit personal information via our Registration form on our website, it is sent directly to our email address: hello@jollygym.com.

We will not collect or retain unnecessary or excessive amounts of data, but deem all of the above information to be essential in order to provide classes for your child. It is your choice whether you provide all of the information requested, but not providing information may affect our ability to meet your child's needs and to protect their well-being.

We may also store data relating to:

- Individual risk assessments and details of any reasonable adjustments or steps taken to support for gymnasts with individual needs
- British Gymnastics membership details (which are confirmed by British Gymnastics when you join or renew)
- Gymnast attendance and achievement records (for instance level of British Gymnastics Proficiency Award achieved)
- Any communications from, to or relating to you
- Details relating to standards of conduct
- Any accident or incident reports including details of injuries
- IP address, browser identifier and the time of access (if you use our website)
- Bank details (If you are making regular payments to us)
- Any merchandise items purchased through our shop
- Photos or videos which may include your child

WHY DO WE PROCESS THIS INFORMATION?

We use the information we hold about you for a variety of purposes which are outlined below. Data protection law requires us to tell you what our legal reason is for each purpose.

Contractual purposes

When you ask us to provide you with a service (offering gymnastics classes, events or merchandise for sale) we usually need to use information about you to provide this product or service, for example:

- To select an appropriate class for your child to participate in
- To contact you to confirm details such as dates, times, where to go
- To inform you of any changes e.g. cancelled sessions
- To tell you when it is time to rebook for a term or to renew BG membership
- To process payments or send you receipts for payment

We do so because it is necessary for the performance of a contract.

Legal obligations

We have a duty of care to ensure it is safe your child to take part in gymnastics activity and to keep them safe while participating. Some individuals may be at risk of harm from participating in gymnastics activity as a result of a pre-existing condition. It is vital that you let us know if there is any reason why taking part in gymnastic activity may be unsafe prior to participation. With your agreement, we will review any information you provide and undertake risk assessments in consultation with yourself and any appropriate trained professionals e.g. medical consultants. When we ask participants to provide relevant health information such as details of medical conditions, medication needs, allergies or injuries, this is because we have a legal obligation.

When you tell us about any special needs such as disabilities or other support information we may use relevant information to comply with our legal obligations under the Equality Act 2010. We will review any information you have provided to help us identify any actions we can take to support inclusion. We may need to ask you for more information to help us to best meet your or your child's needs. We will keep a record of any steps we take to support inclusion.

Legitimate interests

We rely on legitimate interests for the following purposes:

- *To respond to communications, concerns or complaints, or to seek feedback about our services.*
We will use the information you provide to respond to any comments or questions you raise and where appropriate to undertake investigations into any complaints or concerns. On occasion, we may contact you to seek your views on the services we provide.
- *To store emergency contact information*
When you join the club, we collect emergency contact details to be used in exceptional circumstances for instance injury or an incident meaning a child requires a parent/adult.
- *To maintain attendance registers, achievement records and waiting lists*
For health and safety purposes and club records, we need to maintain a register of those in attendance at training or other club activities. We maintain a record of children's achievement e.g. against BG Proficiency Awards so that we can ensure they continue to work at a suitable level. If there are no places in the club, we can place you on our waiting list and will contact you using the details you provide to inform you when a place is available.
- *To enter you into a competition and share results from that competition*
If you wish to take part in our annual club competition, your child's information (usually name, date of birth and gender) will be used to enter them into the appropriate category and their score will be recorded. Results of competitions may be published on our social media and club newsletter.
- *To run and monitor our club website and social media*
We do not use any tracking or analytics on our website. Your IP address will be logged by our webserver but we would not be able to identify you from this information alone.

Consent

We rely on consent in the following circumstances:

- *To use your email address for marketing purposes*
If you give permission, we may use your email address to highlight events, goods or services which they feel may be of interest to you or your child, based on their age, interests and experience. If you no longer wish to receive such emails, you can withdraw your consent at any time by replying 'STOP'.
- *To take photographs and videos of your child during class or at club events*
Images and videos may be used for coaching purposes and for club promotion; images may be used in an anonymous social media post and/or on our website and marketing materials, in line with British Gymnastics' photography guidance. Photos and videos will not be used for any other purpose without prior consent. If you wish to withdraw photography consent you can do so by contacting us via email.

Your withdrawal of consent will not affect any use of the data that was made before you withdrew your consent.

SPECIAL CATEGORIES OF PERSONAL DATA

Special categories of personal data relate to information which is more sensitive and requires greater protection. Some of the information we process falls into this category (e.g. health/medical data or any information you provide to us about a disability or your religion, race or gender identity). It is unlawful for organisations to process this type of information unless an additional legal condition applies.

We will only process this type of information if one of the following applies:

- You have given your explicit consent or have made this information public
- We are required to do so to establish, exercise or defend a legal claim
- We are required to do so to comply with employment or social security or social protection law
- There is a substantial public interest in doing so
- It is in your vital interests and you are unable to provide consent e.g. if you are unconscious or do not have sufficient mental capacity

HOW AND WHY WOULD WE SHARE YOUR INFORMATION WITH OTHERS?

We may be required to share your personal information for the following reasons:

- **To comply with legal and/or regulatory responsibilities.**
We may be required to share information with bodies such as Her Majesty's Revenue & Customs (HMRC), Health & Safety Executive (HSE), Police and Information Commissioner's Office (ICO). We may also share information with other organisations to safeguard children. Any information that is shared will be strictly limited to what is required to ensure children are protected from harm and will be carried out in accordance with the law and relevant government guidance.
- **To obtain insurance cover or relating to insurance claims**
- **To obtain legal or professional advice**
- **To obtain a service from a third party**
 - We have a legitimate interest to share your personal information with British Gymnastics to ensure the sport is safe and well-governed, and to access support and advice where needed.
 - Our website contains some links to third-party websites and applications.
 - Photos and videos will only be shared with organisations whose services are required for marketing purposes.
 - All service providers are contractually required to ensure your information is secure and cannot use this information for their own purposes. Where we are required to share information with them to provide the service, we only disclose information that is strictly necessary to deliver the service. Third parties may, in turn, rely on data processors to provide

Except for the above, we will only share your information with any other third parties with your prior agreement.

Sharing data outside of the EEA

We may share your personal information to countries which are located outside the European Economic Area (EEA) for the follow purposes:

- To the United States in order to store data via online cloud storage. This service is provided by Google Drive who are certified as adhering to the EU-US Privacy Shield. Detail of their Privacy Policy is available [here](#).
- To the United States in order to store data via online cloud storage. This service is provided by Jotform who are certified as adhering to the EU-US Privacy Shield. Detail of their Privacy Policy is available [here](#).
- To the United States in order to provide an e-marketing service. This service is provided by Mailchimp who are certified as adhering to the EU-US Privacy Shield. You can view their Privacy Policy [here](#).

We will not transfer your information to any other country or organisation outside the EEA unless there is a European Commission adequacy decision for the specific country to which the data is transferred or where we can be certain that there are adequate safeguards provided for your information and individual rights standards that meet the GDPR requirements.

HOW DO WE KEEP YOUR INFORMATION SECURE?

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine reason to need to know it; such as coaches or the designated Welfare Officer. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We will notify you and the ICO of any personal data breaches in line with our legal obligations.

HOW LONG WILL WE KEEP YOUR INFORMATION?

We will keep your personal data for as long as you are actively participating in our classes and events. If you do not rebook classes with us or cease to have a relationship with the club, we will keep your information for no longer than we reasonably need. Usually, this will be no longer than 12 months. After this time, we will retain minimal information for 7 years in case of any legal/insurance claims or complaints.

Video footage that has only been taken for coaching purposes will be retained only for as long as it is required for that purpose and in most cases, will be deleted within one month. Photographs and other video footage captured for promotional purposes will be retained for up to 4 years. After this time, they will be deleted unless we consider them to be of public interest and should consequently be archived for historical purposes. Where images have been published on social media, these platform providers may continue to process your data after the retention period has lapsed.

Accident and incident reports relating to your child will be kept until they reach 21 years old, due to legal obligation.

YOUR INDIVIDUAL RIGHTS

You have important rights under data protection law. In summary, these include:

- **Being informed about how your information is processed** (set out above)
- **Being able to access any personal data held about you**
You can request a copy of any information we hold by emailing us with your request.
- **Having your data rectified if it is inaccurate**
If you think that any of the information we hold is inaccurate, you can ask that corrections are made. We will either make the requested amendments or provide an explanation as to why we are not making changes.
- **Having your data deleted (except if there is a valid lawful reason to retain it)**
You have a right to request the deletion of your information in advance of the above retention periods. We will delete this information unless there is a lawful reason for the information to be retained.
- **Having your information restricted or blocked from processing**

If you object to processing, we will restrict the processing of your information for the purpose to which you are objecting whilst we review your objection.

- **Being able to object to:**
 - *Any processing based on legitimate interests*
The right to object is specific to the data subject's particular situation. We will stop processing your personal data unless we can demonstrate compelling legitimate grounds for the processing, which override your individual interests, rights and freedoms or we need to continue to process your information in connection with a legal claim.
 - *Your personal information being used for direct marketing activities*
You can object to our direct marketing activities by unsubscribing from the relevant communication as described above in the marketing section of this notice.

You can learn more about your rights by [clicking here](#).

While we hope to be able to resolve any concerns you have about the way that we are processing your personal data, you have the right to lodge a complaint with the [Information Commissioners Office \(ICO\)](#) if you believe your data has been processed in a way that does not comply with the GDPR or have any wider concerns about our compliance with data protection law.

DATA RELATING TO COVID-19

In order to reopen after the Coronavirus Lockdown, we need to store some additional information about you, sometimes from a special category. This includes:

- holding information about which adult or parent attended each session with your child; what dates and times they were part of our classes and their phone numbers.
- recording details of any member who has previously shown Covid symptoms within a class or informed us that they have tested positive for Covid.

This information is processed for legal purposes; we have an obligation to inform the relevant authorities of any confirmed cases within our sessions and to be able to identify any individuals who may have been in the facility at the same time/ come into contact with the infected person.

In order to comply with our legal responsibilities and to seek professional advice, we may be required to share this information with NHS Test and Trace, our own Club Welfare Officer, British Gymnastics, the Local Health Protection Unit and/or RIDDOR. In any case, we will provide only the essential information on a need-to-know basis. We may be required to inform our members of a case of Covid-19 within one of our classes but would do so anonymously so that it is not possible to identify the effected individual from the information provided.

We will keep your information secure and for no longer than is needed.

CHANGES TO OUR PRIVACY NOTICE

We keep our privacy notices under regular review. This privacy notice is version 2 and was published on 16/07/2020. We will inform you of any changes to this notice via email.

You can always access a current version of the notice on the [downloads page of our website](#).

WANT TO KNOW MORE?

If you have any questions relating to this notice or want to exercise any of your rights , please contact us and we'll be happy to help:



erin@jollygym.com

Data Controller

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