

## Privacy notice – independent investigations and disciplinary and appeal hearings

This privacy notice provides information about how your personal data will be used in connection with independent case assessments, investigations and/or disciplinary hearings where British Gymnastics has commissioned Sport Resolutions to oversee one or more of these processes and explains the applicable rights available to you under data protection legislation.

As British Gymnastics has appointed Sport Resolutions to undertake investigations and disciplinary hearings in cases where it is determined by British Gymnastics or in some instances by the Independent Person appointed by Sport Resolutions, that it is appropriate to outsource such matters, both organisations are controllers for your personal data. However, Sport Resolutions and the individuals they appoint act completely independently and autonomously from British Gymnastics in administering the process, conducting the investigation or hearing the case and reaching conclusions.

It is essential that everyone involved can trust the process and feel confident that those involved are completely independent and impartial.

This notice applies to information about you that is collected and used by Sport Resolutions and the individuals appointed by Sport Resolutions in connection with independent investigations and disciplinary matter and includes:

- Information provided by you in communications, statements and oral evidence.
- Contents of any investigation reports and other forms of evidence.
- Panel documentation and judgement.

All matters will be conducted in accordance with one of the following procedures:

[British Gymnastics Complaints and Disciplinary Procedures](#)

[Independent Complaints Process Protocol](#)

British Gymnastics Disciplinary Procedures contained within the British Gymnastics Staff Handbook

British Gymnastics Data Protection Officer	Sport Resolutions Data Protection Officer
By post: British Gymnastics Lilleshall NSC Nr Newport Shropshire TF10 9AT	By post:
By email: <a href="mailto:data.protection@british-gymnastics.org">data.protection@british-gymnastics.org</a>	By email: <a href="mailto:cpitre@sportresolutions.com">cpitre@sportresolutions.com</a>
By phone: 03451297129	By phone: +44 (0)79 4665 9849

## Sources of information

British Gymnastics will provide information to Sport Resolutions as necessary for Sport Resolutions to undertake their role, but Sport Resolutions may also receive information directly and in some cases, from the following other sources:

- In a communication, complaint or witness statement or other forms of evidence e.g. videos or photographs provided by another individual;
- In information provided by a statutory authority or regulator such as the police, social care, UK Anti-Doping or the NSPCC.
- From the British Athletes Commission (subject to the consent of the complainant for their concerns to be dealt with under the Independent Complaints Process)
- From a publicly accessible source e.g. a website, on social media or in a media publication.

- By a British Gymnastics club or affiliated or partner organisation.
- By another organisation with your consent.

## **Lawful basis**

The main lawful basis relied upon by British Gymnastics and Sport Resolutions under the UK GDPR is article 6(1)(f) of the UK GDPR, which allows personal data to be processed where it is necessary for our legitimate interests (or those of a third party), providing that these interests are not overridden by your interests and fundamental rights. Our legitimate interests are to ensure complaints are dealt with impartially and transparently and to ensure all individuals trust the process and feel confident that the outcome is fair to everyone involved.

If the information collected and used includes some forms of sensitive information (known as special category data) such as information about your health (physical, mental health and disabilities), sexual orientation, race or ethnic origin and religion belief or criminal offences (including allegations) data, British Gymnastics and Sport Resolutions will rely on the following conditions set out in Schedule 1 of the Data Protection Act 2018:

- Paragraph 12: Compliance with regulatory requirements relating to unlawful acts and dishonesty etc;
- Paragraph 18: Safeguarding of children and individuals at risk; and
- Paragraph 28: Standards of behaviour in sport

If you have any questions or concerns about our use of your personal information for this purpose, then please contact the relevant organisation.

## **How will my information be protected?**

British Gymnastics and Sport Resolutions have put in place appropriate arrangements to ensure information about you is only be used for the permitted purpose and will take appropriate measures to protect your individual rights and freedoms including:

- Implementing appropriate measures to ensure your information is shared and stored securely and not transferred outside the UK.
- Limiting access to information provided to only those individuals who have a genuine reason to access the records and who are under a duty of confidence.
- Holding all proceedings in private and only communicating outcomes to those who need to know, unless it is agreed that there is a significant public interest in limited information about the outcome being published.

## **Sharing of information about you**

Sport Resolutions will share your information with individuals appointed by Sport Resolutions to investigate the case or sit on a panel or with the Independent Person, where applicable.

On occasion, it may be necessary to share information with statutory agencies, for example where it is necessary to safeguard children or adults at risk. 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.

Once a case is concluded, British Gymnastics will only be provided with information that is necessary to respond to the judgement and for British Gymnastics' ongoing safeguarding and employment responsibilities.

British Gymnastics may publish the outcome of proceedings where there is a legitimate interest that overrides the interests of others in keeping the outcome private. British Gymnastics may also notify UK Sports Councils, and the International Gymnastics Federation (FIG) Safeguarding Unit, European Gymnastics and the Gymnastics Ethics Foundation (all based in Switzerland) of disciplinary findings and sanctions where appropriate and proportionate to do so.

External service providers who are contracted to provide specific services on behalf of British Gymnastics or Sport Resolutions such as IT service and cloud storage providers will be provided with information necessary to deliver the required service. The service provider will be contractually required to delete or return the information in a secure manner once the use of the services is concluded.

## **Retention**

Sport Resolutions and the individuals appointed by Sport Resolutions will not retain any case information for longer than is necessary once the matter has been included and in accordance with any applicable limitation periods.

British Gymnastics will retain any information provided by Sport Resolutions as necessary for safeguarding and other legitimate purposes as set out in the [British Gymnastics membership privacy notice](#) and, as applicable within an employee's personnel file.

## **What are your rights?**

You have a right to access the personal data we hold about you. You also have a right to ask British Gymnastics and/or Sport Resolutions to correct inaccurate or incomplete data, and for your personal data to be erased in certain circumstances.

You have the right to object to this use of your personal data but there may be legitimate reasons why we would refuse your objection, which depend on the specific reasons for the objection and whether your objection outweighs British Gymnastics or Sport Resolutions' interests.

If you would like to exercise any of your rights, please contact the appropriate organisation using the above contact details. For security purposes, we may need to ask you for information to verify your identity before we can deal with a request.

You also have the right to complain to a data protection authority about our collection and use of your personal information. For more information, please contact the Information Commissioner's Office at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Tel: 0303 123 1113. Email: [Casework@ico.org.uk](mailto:Casework@ico.org.uk).

## **Changes to this privacy notices**

We keep privacy notices under regular review. This notice was published on 08 June 2021.