

RACECOURSE LICENCE PRIVACY NOTICE RELEVANT PERSONS SUITABILITY ASSESSMENT

Summary of how we use your data

- The British Horseracing Authority (“BHA”) uses the data you provide in this form in order to carry out a suitability assessment on all individuals holding key roles within a racecourse business (“Relevant Persons”, as defined in the Applications for a Racecourse Licence Suitability Policy) to administer and regulate horseracing in Great Britain.
- 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 [Integrity Privacy Notice](#) (available on the BHA website).
- 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.

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 Relevant Persons, particularly as part of the racecourse licence application process. It does not describe the processing carried out by the BHA in relation to its integrity activities, which are covered in the [Integrity Privacy Notice](#) (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. Defined terms used in this Policy reflect those used in the BHA’s Applications for a Racecourse Licence Suitability Policy.

What information do we collect from you?

We collect and process personal data about you via the Applications for a Racecourse Licence Suitability Questions and from information contained within public registers, for example, records held by Companies House and the Insolvency Register, or from information available publicly and from other regulatory bodies or statutory agencies. This includes all the information you provide to us in the racecourse licence application form (e.g. name, contact details etc.) and any attachments submitted alongside the form.

What information do we receive from third parties?

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

- 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 may receive information about you from other licensed, registered or permitted personnel;
- we may seek information about you and your suitability and requirements for licensing or permit from publicly available sources, such as through internet searches and director checks;
- we may receive information about your performance and conduct from racecourses and BHA and racecourse officials;
- 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 the stewards—this is discussed in more detail in the [Integrity Privacy Notice](#) (available on the BHA website).

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, where your interests and fundamental rights do not override those interests, in particular:
 - we will use your information to conduct your suitability assessment and any requirements for licensing in accordance with measures we take to ensure the integrity of the sport;
 - we use your criminal records data, provided as part of the racecourse licence or permit application, to ensure the integrity of the sport;
 - we will use your information to respond to any comments or complaints you may send us;
 - we will contact you in relation to any rules or other information you may require in your role as a Relevant Person;
 - 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](#));
 - 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).
- For purposes which are required by law:
 - in response to requests by government or law enforcement authorities conducting an investigation, or in accordance with our statutory duties, including sharing information with the Gambling Commission and/or the police.
- We may also use your personal data in other ways and will provide specific notice at the time of collection and obtain your consent where necessary.

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.

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

We will share information with your employer racecourse and/or the Racecourse Association in relation to any integrity concerns.

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We will share your information with Racing Welfare in relation to any safeguarding concerns or investigations.

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

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 limited information with other licensed, permitted or registered personnel in relation to your standing as a Relevant Person.

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.

Personal data will also be shared with third party service providers, who will process it on behalf of the BHA for the purposes identified above. Such third parties include providers of website and system hosting for our licensing teams.

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 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 don't have to process the data to meet a contractual or other legal requirement).

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.

For the purposes of the Relevant Person suitability test, the provision of information is mandatory: if relevant data is not provided, then we will not be able to process the test and you will not be able to hold the Relevant Position.

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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, you can get in touch at 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 application data, we do this for as long as you hold a Relevant Position and for ten years after this.

Where we hold case files in relation to breaches of the Rules of Racing by registered, licensed or permitted personnel or entities, we hold these for ten years following the date of the hearing or, if there is no hearing, for ten years from the date that the investigation is passed over from the BHA Integrity Team to the BHA Regulatory Team. 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.