
Sportscotland Supported Athlete Privacy Notice

Putting sport first

sportscotland
the national agency for sport

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What is the purpose of this document?

sportscotland Institute of Sport (**SIS**) provides high performance expertise to **sportscotland** Supported Athletes as defined in **sportscotland**'s Athlete Confidentiality Code of Conduct across Scotland and internationally. As part of this support, **sportscotland** processes and shares "Athlete Performance Data" being personal data including special categories of data in relation to the performance of the **sportscotland** Supported Athlete and as defined in **sportscotland**'s Athlete Confidentiality Code of Conduct. This privacy notice explains how **sportscotland** uses your personal information as an athlete.

sportscotland of Doges, Templeton on the Green, 62 Templeton Street, Glasgow, G40 1DA are registered as a data controller with the Information Commissioner's Office and will be a "controller" of your Athlete Performance Data provided to us:

- by you; and
- your "Inter-disciplinary Support Team" as defined in **sportscotland**'s Athlete Confidentiality Code of Conduct.

We may change this Privacy Notice from time to time. Please check this policy frequently to ensure you are aware of the most recent version and the date that it was last updated.

Information we use and collect

The types of Athlete Performance Data processed, the purposes for holding this data, where this data is held and who has access to this data internally and externally will depend on the services you receive from SIS.

Please refer to the following link to **sportscotland**'s website for the **sportscotland** Supported Athlete Processing Statement, which contains an up to date list of SIS's processing activity: <https://sportscotland.org.uk/athleteprocessingstatement>.

How we use Athlete Performance Data

When you are nominated by your sports governing body and receive funding from **sportscotland**, we will store and use your personal information during the course of your funding support to provide you with athlete support services as set out in the **sportscotland** Supported Athlete Processing Statement. This information will be used by us for the purposes of managing and protecting your wellbeing and to

increase the probability of improving your sporting performance. We may also use your Athlete Performance Data in connection with **sportscotland's** performance of its public tasks to:

- Promote and encourage participation in sport by sharing performance data to inspire others, which we use for promotional, education and development purposes;
- Invite you to participate in surveys for research, development and knowledge management purposes to better understand the components for sporting success;
- Deliver research outputs;
- Inform our general understanding of High Performance service requirements; and
- for such other public tasks as we may be required to carry out now and in the future.

We are under a legal obligation to process certain personal information relating to our **sportscotland** Supported Athletes for the purposes of complying with our obligations under:

- Children and Young People's Act 2014 to the extent data needs to be shared,
- Anti-Doping Rules UK, to the extent information is required to be transferred;
- the Equality Act 2010 if requested by the European Equality Commission v; and
- Any common law medical duties applicable to our medical practitioners;
- any other applicable legal requirements which may become relevant to the work of **sportscotland** both now and in the future.

We may ask you if we can process your personal information for additional purposes. Where we do so, we will provide you with an additional privacy notice with information on how we will use your information for these additional purposes.

Our legal basis for using Athlete Performance Data

We use your personal information where we have a legal basis under applicable data protection legislation. We use Athlete Performance Data where:

- you have given us consent (if consent is needed);
- we need to use the Athlete Performance Data to perform the contractual terms of your funding, including taking steps to provide you with funding;
- we have legal obligations, which require using the Athlete Performance Data;
- we need to use the Athlete Performance Data to perform a task in the public interest; and/or
- we or a third party have a legal justifiable processing activity, which requires us or that third party to use the Athlete Performance Data, only where there is no disadvantage to you. Such interests are set out above in this privacy notice.

In the event that we are processing information based on your consent, you have the right to object to such processing or withdraw your consent at any time by contacting us at SAR@sportscotland.org.uk.

Athlete Performance Data will include 'special categories of personal data' (as defined in applicable data protection legislation) as we may use information in relation to your health data, medical data (including physical and mental health data), genetic or biometric data (which may comprise performance data) or occasionally data relating to your racial or ethnic origin; political opinions; religious or philosophical beliefs; genetic and biometric data; and sexual life or sexual orientation. We only use such information where:

- you have given us explicit consent (if consent is needed);
- you have made such information publicly available;
- it is required to establish, exercise or defend legal claims;
- processing is necessary for scientific research purposes;
- we need to use the Athlete Performance Data for substantial public interest reasons, as set out in applicable data protection legislation (for example, equality monitoring or protecting the integrity of a sport or sporting event);
- we need to use the Athlete Performance Data for the management and/or provision of health care or treatment; and/or
- we need to use the Athlete Performance Data to comply with any obligations under the Data Protection Law including the provisions in the GDPR in relation to standards of behaviour in sport or anti-doping.

Who we share your personal information with

Athlete Performance Data is shared across inter-disciplinary support teams, which may comprise internal staff, Scottish Governing Bodies of Sport, and independent coaches, along with third parties such as British Governing Bodies of Sport, Commonwealth Games, the National Olympics Association, and in certain instances in relation to young people, SQA, SAAS, Local Authorities, and schools.

We are required to share personal information with statutory or regulatory authorities and organisations to comply with statutory obligations (including compliance with certain conditions imposed by the Scottish Government). Such organisations include HMRC, the Health & Safety Executive, Equalities and Human Rights Commission (for purposes of equalities monitoring if requested, such information being provided in an anonymised form) and Police Scotland for any statutory purposes.

We are also required to share personal information relating to athletes' health in order to undertake activities to eliminate doping, at a sporting event, within our sport generally, or to provide information about doping, or suspected doping, to UK Anti-Doping or another body with responsibility for eliminating doping in sport.

We may also share personal information with our professional and legal advisors for the purposes of taking advice and to establish, defend or exercise legal claims.

If your personal information is included in any images or videos taken by us at our competitions, events or training sessions, we may share this with your Sports Governing Body, Team Scotland or Team GB / Paralympics GB. In addition we will use this content across sportscotland owned channels and outputs, such as social media and publications.

sportscotland employs third party suppliers to provide services, including IT, third party software suppliers for managing athlete data, SGBs, contractors for training or specific pieces of work, university students and staff assisting with studies in respect of Athlete performance through related data enquiry etc. These suppliers may process personal information on our behalf as "processors" and are subject to written contractual conditions to only process that personal information under our instructions and protect it.

In the event that we do share personal information with external third parties, we will only share such personal information strictly required for the specific purposes and take reasonable steps to ensure that recipients shall only process the disclosed personal information in accordance with those purposes.

How we protect your personal information

Where sportscotland retains your personal information in one of our own data centres, all data will be stored on UK based servers. Where sportscotland utilises cloud based storage, your data may be stored in additional European Union country data centres for resilience, which are also governed by the GDPR. Core systems are only accessible by sportscotland staff and a small number of contract for service practitioners. Security measures in place within sportscotland's data centres include physical security measures; strong passwords; password lock out policy; managed permissions; two factor authentication; encryption; antivirus software; anti-malware software; data loss prevention software; secure email gateway; software patch management and appropriate data backup arrangements.

Your personal information may also be stored on third party, cloud based solutions. Where this is the case, sportscotland will ensure that that third party complies with the GDPR when processing your data.

In certain circumstances we may be required to transfer athlete personal information outwith the EU for the purposes of entering athletes into competitions, booking travel arrangements for training camps, and other related activities

Where your personal information is transferred out with the EU, we will provide you with information regarding the safeguards that we have put in place with the recipient country to protect your personal information.

How long we keep your personal information

We keep our **sportscotland** Supported Athletes' information for the following periods (as per our Retention and Destruction Schedule):

Category	Information Classification (SharePoint file path/library alignment)	Retention Period	Eventual Fate	Current Retention Method	Location	Document owner
Athlete Information (General)	Performance	6 Years	Destroy	Electronic	Smartabase SharePoint	Director of High Performance

Athlete Medical Information (General)	Performance	6 years from end of treatment	Destroy	Electronic	Smartabase SharePoint	Director of High Performance
Athlete Medical Information (Medical)	Performance	10 years from end of treatment	Destroy	Electronic	Smartabase SharePoint	Director of High Performance

We have a records management plan and retention and destruction schedule that sets out the periods for retaining and reviewing all information that we hold and is updated yearly. You can download this at <https://sportscotland.org.uk/freedom-of-information/foidocuments/records-management-plan/>. This sets out different retention periods and is updated on the website when it is amended.

Your rights

You can exercise any of the following rights by contacting us at SAR@sportscotland.org.uk.

Your rights in relation to your personal information are:

- you have a right to request access to the personal information that we hold about you by making a "subject access request";
- if you believe that any of the personal information that we hold about you is inaccurate or incomplete, you have a right to request that we correct or complete your personal information;
- you have a right to object to and/or request that we restrict the processing of your personal information for specific purposes;
- if you wish us to delete the personal information that we hold about you, you may request that we do so;
- if you wish to obtain the personal information that we hold about you to reuse it for your own purposes, you may make a request to obtain it; and
- where we undertake any automated decision-making and profiling, you have certain rights in relation to such processing of your personal information.

Any requests received by **sportscotland** will be considered under applicable data protection legislation. If you remain dissatisfied, you have a right to raise a complaint with the Information Commissioner's Office at www.ico.org.uk