



Fair Processing Notice –owners and suppliers – guidelines and points to note

The General Data Protection Regulations require that you explain to your customers and suppliers how you protect their personal data. The Regulations only applies to personal data, meaning any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier – so for example their name.

To help trainers comply with GDPR the NTF has produced a template fair processing notice. You must read the template carefully and tailor it to suit your own business requirements – it must reflect reality in your business. It is drafted to be used for owners but a similar form of notice could be used for suppliers whose personal data you process.

It sets out the grounds upon which you process data – in general consent is not required for standard business activities involving use of customer or supplier data but it may be needed for activities which are not required to manage the main business relationship, such as direct marketing activities.

Fair Processing Notice Special category data – customers

Special category data relates to someone's race, ethnic origin, politics, religion, trade union membership, genetics, health, sex life or sexual orientation.

If you process special category data you need to have an additional legal ground to use and hold, over and above the legal ground/s on which you process normal personal data. There are a number of grounds for processing such data but some of these only relate to employees.

As such, if you have special category data from an owner which you are processing, then it is likely that you will wish to have their explicit consent unless the personal data is manifestly made public by the data subject.

For example, you may have an owner for whom you are making travel arrangements for them to attend a race meeting abroad and the owner has a health issue which requires special arrangements to be put in place – as such you would be sharing special category data relating to the owner's health with a third party and you should ask for their explicit consent to that. Such consent can be withdrawn at any time.