

General Data Protection Regulation (GDPR) and Yoga Classes Undertaken by Martin Hall

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Many of my students will have heard of the General Data Protection Regulation (GDPR) which came into force across Europe on 25th May 2018. You may think this applies only to large / commercial organisations but it actually covers any organisation that keeps personal data – and thus it applies to my yoga teaching activities. This article explains my responsibilities, describes how I discharge them in a compliant manner and informs you of your rights under the new legislation, specifically with regard to my activities as a yoga teacher.

What is GDPR?

GDPR expands existing Data Protection Regulations and widens their scope. It requires that personal data on members (“data subjects”) must be:

- a) processed lawfully, fairly and in a transparent manner in relation to individuals;
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

How does my yoga business comply?

(a) Student Records

Under the legislation, I become the ‘Data Controller’ for the personal data I hold on current and past students. My policy for compliance with GDPR is as follows:

- (i) **I have a legitimate reason to hold your personal data:** When a student joins a yoga class they are entering a contract with me to teach them yoga in exchange for a payment. To fulfil the contract I therefore have a legitimate business interest to contact students, for example to communicate class dates/venue/charges, other Iyengar yoga events likely to be of interest, class date changes due to weather, illness etc. This also applies to classes in which students pay me indirectly, for example via a third-party organiser. I also need to retain certain data to comply with HMRC requirements.
- (ii) **I hold your personal data securely:** All data about students and ex-students is held securely on a Personal Computer, using appropriate technical measures to keep the data

secure. Written records (such as class registers) are kept securely until complete, then scanned, filed electronically for retention, and shredded.

- (iii) **I use your personal data responsibly:** I use personal data solely for the purposes of fulfilling my contract with my students to teach them yoga (including the provision of associated information such as completed attendance registers to third-party organisers of yoga classes that you attend and at which I teach). I do not disclose, share, sell or otherwise distribute personal data in my database.
- (iv) **I allow those whose data I keep to know what I keep and why:** I keep some or all of the following personal data in my database: a) name, e-mail address, telephone number b) information relating to payments for yoga classes and associated supplies c) register of attendance at classes. I also retain e-mail correspondence from my students for reference to enhance the service I provide. I retain past students' personal data to allow me to re-engage with them to entice them to re-join classes.
- (v) **Note that I do not store health-related information on my database:** New students must inform me about health issues that might affect their ability to practise yoga before they join a class, and if in doubt consult with me and discuss. The same applies to changes in the medical status of existing students. Any health information received is treated with the strictest confidence and I do not store such information on a database. I do not teach yoga therapy, only general yoga classes.
- (vi) All the information I keep on my database has been supplied to me by current or past students. If this information changes, students and past students are responsible for keeping me informed so that their personal data remains accurate.
- (vii) **I allow those whose personal data I keep to request some or all of it to be updated or deleted:** If any person would like personal data removed from their database record they should contact me at martinhall@gorrell.co.uk with a request. Whilst it is the right of any person to have their personal data deleted, removal of personal data might prevent me from keeping them informed of relevant support information, for example class date changes due to adverse weather conditions or illness. The law may require me to retain some information, for example to comply with HMRC requirements.
- (viii) **I do not retain personal data for longer than is necessary for the reasons it was held in the first place:** I retain information for the periods shown below to allow me meet my obligations as a yoga teacher:
- e-mail addresses will be retained on distribution lists for 1 year after a student's last attendance at class, before being deleted
 - All other data will be retained for a period of 7 years after a student's last attendance at class

(b) Enquiries

If I receive an enquiry from a student or potential student I will respond using the same method of contact. I will respond only to the question being asked, and will save any e-mail correspondence for future reference for no longer than 12 months.

(c) Data Protection Officer

I am the nominated Data Protection Officer:

The Data Protection Officer will be responsible for informing the Information Commissioners Office within 72 hours if there is a suspected breach of security affecting personal data.

What do students and ex-students need to do ?

Students and ex-students need do nothing if you are content for me to continue to hold the personal data described above. If you would like to see any data I hold on you, or require any of that data to be updated or deleted, then please contact me at martinhall@gorrell.co.uk

Past students who wish to remain on my Stoer Yoga e-mail distribution list for information must give positive confirmation that they want me to continue sending yoga-related information to them.