

GDPR4 CHILDRN

Processing of personal data in hobbies

A Guide for Coaches and Instructors



OFFICE OF
THE DATA PROTECTION OMBUDSMAN



TIEKE



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Icons visualizing data protection

The icons shown below provide information on data protection in a visual form. Associations can use these icons, for example in their own communications.

Find more information here: [Data protection icons](#) | [Data protection in hobbies](#).¹



**DATA
PROTECTION**

Data protection legislation determines how personal data can be processed in hobby activities. Among other things, the controller has an obligation to process personal data with care and inform data subjects transparently about such processing.



CONTROLLER

The party that determines for what purposes and how personal data is being processed in hobby activities is the controller. In hobby activities, the party responsible for the processing of personal data is generally the controller of the personal data.



DATA SUBJECT

The data subject is the person to whom the personal data relates. In hobbies, those participating in the hobby and their custodians can be data subjects. Data subjects have data protection rights, such as the right to access personal data concerning themselves.



**CHILDREN'S
PERSONAL DATA**

Children's personal data must be protected carefully, and children should be informed of the processing of their personal data in child-appropriate terms.

¹ <https://tietosuojaharrastuksissa.fi/en/material-bank/data-protection-icons/n>



**SENSITIVE
DATA**

Special categories of personal data or sensitive data include health data and information revealing a person's ethnic origin or religious beliefs.



**PERSONAL DATA
BREACH**

A personal data breach means an incident that results in, for example, the destruction or loss of personal data, or that grants a party not authorised to process the data, access to the personal data.

Intro

Have you ever considered that, as a coach or instructor, you are probably processing the personal data of quite a few children? Everything from collecting the contact details of children and their parents on a form to checking children's allergies when distributing packed lunches counts as processing. As an instructor, you play an important role in the realisation of data protection in the hobby. When data protection is in order, everyone can focus on the hobby and rest assured that their personal data is in good hands.

What is personal data?



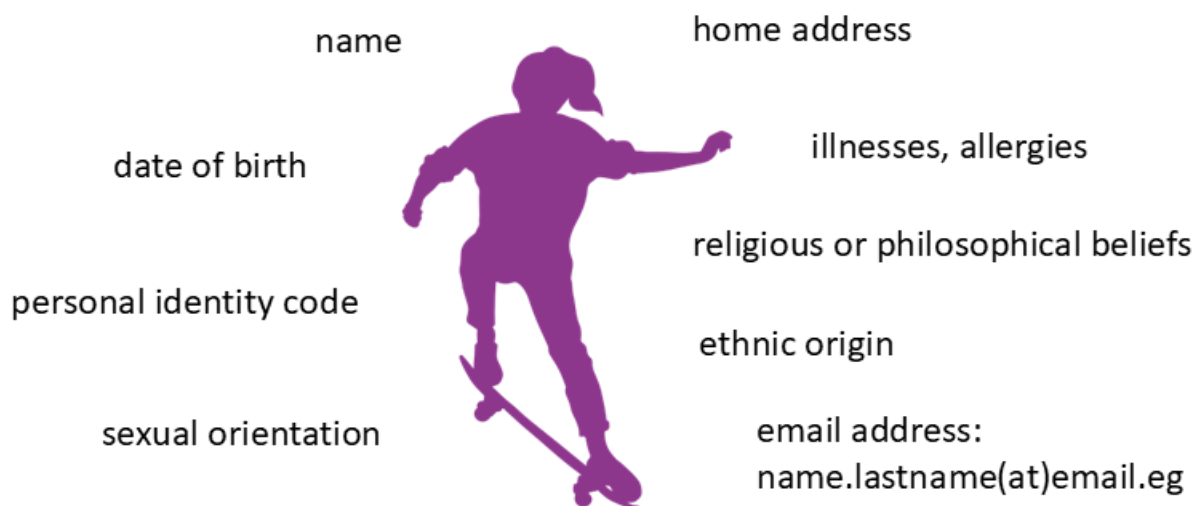
SENSITIVE
DATA



CHILDREN'S
PERSONAL DATA

Data by which individuals can be identified is **personal data**.

- Personal data includes a person's full name (like Jane Doe), date of birth, personal identity code, home address, telephone number and email address.
- Pictures and video featuring people are also personal data, as is recorded speech. For example, when someone takes a selfie, they can be identified from the picture. Even if you do not use your real name on your social media profile, you can usually still be identified from the photos.



Some types of personal data are more sensitive than others. **Special categories of personal data** contain information that can reveal something highly sensitive about a person. Such data must be protected with particular care. For example, many people do not want to share information about their illnesses to others, and others have no right to know about your illnesses either.

Special categories of personal data include:

- religious beliefs, that is, the information on what religion a person practises or does not practise; and
- health information (such as information about a person's illnesses, or patient records made at a physician's appointment).

When processing special categories of children's personal data, such as information about illnesses, as an instructor or coach in a hobby, you need to keep the following in mind:

- Special categories of personal data must be processed with care so that they are not disclosed to third parties. For example, you cannot tell all other instructors or children about a child's allergy or illness in all circumstances.
- Special data must be stored carefully. For example, please make sure not to leave papers containing sensitive data unsupervised so that an outsider could read or steal the papers.
- If special categories of personal data are being stored in electronic systems, make sure that outsiders cannot access the systems. Use a strong password and never leave computers or other electronic devices unsupervised.
- If you are not sure who you can talk to about a child's illnesses, for example, ask for advice from your club's or association's Board. The controller of personal data is obliged to ensure that the people working under its supervision process personal data according to the controller's instructions. In other words, the club's adults have the ultimate responsibility for the processing of personal data, and you can always turn to them if you need help with processing personal data.



Remember

In specific situations, such as on a tournament trip, all instructors can have the right to know the participating children's health information if all instructors are responsible for the children and there is a special need to guarantee the children's health and safety.

As a rule, however, you cannot share special categories of personal data with all of the child's team mates or with coaches who are not working with the child.

Even if a child or young person speaks openly about their illnesses, medication or sexual orientation with their team mates, you as an instructor still have a responsibility to comply with data protection legislation and minimise the processing of data.

What does 'data protection' mean?



DATA
PROTECTION

Everyone has the right to the protection of their personal data. This is called **data protection**. Data protection protects people's personal data from leaking to everyone on the internet. It also prevents people from passing themselves off as someone else by using another person's name, photos or other information.

When a child participates in a hobby activity, such as dancing class, the scouts or football practice, the club or association organising the hobby **processes** the child's personal data. The club or association has to process personal data carefully. It needs to make sure that all personal data are kept safe and out of outside hands.

A register means lists of data, such as a list of club members and their contact details maintained by a sports club. A register contains personal data. A controller, such as a sports club, can also have a register of the club's employees.

'Processing' means everything that the hobby organiser does with the participants' information. For example, collecting data, storing data and disclosing data to others are all forms of processing. When a child signs up for a team and gives their name and contact details to the coach, the team is processing the child's personal data. The team is also processing personal data when it stores the data on a computer or discloses it to a website where results are published. It also counts as processing when a coach asks a player about their allergies, so that the team can get nut-free snacks for away games, for example.

Data protection terminology



CONTROLLER



DATA SUBJECT

A controller is a person, company or association that decides how and for what purposes personal data is processed. A hobby or sports club can be a controller, for example, if it determines why and how the participants' personal data is processed.

The children or adults who sign up for the hobby are data subjects whose data the hobby organiser, such as the sports club, processes.

Term bank on the Data protection in hobbies -website explains the key terms related to data protection: [Term bank | Data protection in hobbies](#).²



Example

Your club decides that it will ask all players to give their contact details so that the coach can contact them about training schedules. The players are asked to fill in their names, home addresses and telephone numbers on a form. The club is a controller, because it decides why and how the personal data is collected.

² <https://tietosuojaharrastuksissa.fi/en/material-bank/term-bank/>

When am I processing personal data on behalf of the controller?

If you are a coach in a sports team or instructor in other types of hobbies, you are probably working under a controller and processing personal data. For example, the hobby organiser may instruct you to collect the names and contact details of the participating children, or information on their health and allergies, when they start the hobby. You may also collect the contact details of the children's custodians or other representatives so that the association can contact them when necessary. This kind of data collection counts as processing on behalf of the controller.

You need to take care when processing data. The controller should always have instructions for you on how you are allowed to process personal data. You can ask about processing instructions from the club's or association's administration, for example.

What do you need to remember when processing personal data?



Personal data must always be processed with care. You need to take principles such as the minimisation of data and security of processing, as well as rules governing the disclosure of data, into account when processing personal data.

In data protection legislation, the principle of data minimisation means that the controller may not process unnecessary personal data. As a coach, you may not process unnecessary personal data either. The controller is only allowed to process data necessary for a specific purpose.

- For example, if a club asks for information on a member's illnesses and allergies so that it can take them into account in the activity, it should not ask for the member's complete health information, but only the information relevant to the hobby. Necessary data could include information on food allergies if the club sometimes provides packed lunches, for example.
- Some data are necessary for hobby activities and can thus be collected. Obviously, the hobby organiser needs to know the name and contact details of the participating child or young person, or at least those of their parents, so that it can communicate with the participants.

You must also remember that personal data may not be disclosed to third parties. As a rule, the players in a sports team do not have the right to access their teammates' personal data, such as their contact details or health information. Nor do all employees or volunteers working for the controller, such as the club, necessarily have the right to process the children's information.

Personal data must be stored securely so that it does not end up in outside hands. This could mean a secure information system or, for example, keeping papers containing personal data in a locked space that outsiders cannot access. People organising hobby activities should always consider whether it is necessary to carry a list of club members and their personal data with you, for example.

- A child or young person or their parent can sometimes give coaches information on the child's health even if not asked, such as sending a text message if the child is ill and cannot come to practice. Even though the child or parent has disclosed this information to you on their own initiative, you must still remember that you have been sent special categories of personal data that must be processed with special care. If the information was sent in a text message or email, for example, you must make sure that outsiders cannot access your phone or any messages that they are

not authorised to read. Also make sure to delete such messages when their processing is no longer necessary.

When processing data, you need to take into account the potential consequences to the children or young people if their personal data end up in unauthorised hands. A child or young person may not want other children and adults to know all their personal data. The careless processing of personal data can have a variety of negative consequences, such as:

- the spread of the data to more and more people, for example on social media;
- bullying;
- reputation damage;
- identity theft; and
- financial losses to the child or young person or their parents.

As the controller, the hobby organiser has the primary responsibility for ensuring that you know how to process personal data with care as a coach or instructor. The controller should have instructions on where and how the participants' data is stored and which coaches or instructors are permitted to process it. When working as a coach or instructor, you need to follow the club's instructions on the processing of personal data.

More detailed information on the requirements for processing is available in the Guide for the board of the association on the Data protection in hobbies -website: [Guide for the board of the association | Data protection in hobbies](https://tietosuojaharrastuksissa.fi/en/board-of-the-association/starting-page-ab/).³

³ <https://tietosuojaharrastuksissa.fi/en/board-of-the-association/starting-page-ab/>

What should I do with the data I have been processing when I quit?

If you have worked as a coach or instructor in a hobby and quit, you no longer have the right to process other people's personal data collected for the hobby activity. You must also check with the controller what you should do in such a situation.

When you stop working as an instructor, you need to transfer the participants' personal data in your possession to the controller, delete emails containing the personal data of participants, and destroy all forms containing personal data in your possession. If you have access to an electronic system, email or file folders maintained by the controller, the controller should deactivate your username and revoke your access to its systems. If you notice that you still have access to the systems, notify the controller.

Am I allowed to process the health data of children participating in the hobby?



CHILDREN'S
PERSONAL DATA



SENSITIVE
DATA

As a rule, processing children's health data in hobby and leisure activities is permitted, provided that it stays within the limits set by data protection legislation. 'Health data' means personal data related to a person's physical or mental health.

The processing of health data may be permitted based on, for example, the data subject's explicit consent. In hobby activities, the club or association often collects data from participants on forms and also requests health information with the consent of the children and their parents.

In hobby and leisure activities, children's health data are often obtained from the child's custodian or other representative, or from the child themselves. Information on a child's allergies, illnesses or medication is often essential for guaranteeing the child's health and safety in hobbies and leisure activities.

As the controller, the club must specify who has the right to process the child's health data. The people responsible for the child in the hobby usually need access to such data. For example, it may be essential for you as the child's instructor to be aware of the child's health information if it can ensure the child's safety during the activity and let you react to possible symptoms of illness. Likewise, information on a child's allergies can be important at camp, where instructors are responsible for providing the child's meals.

The sensitive nature of the data and potential damage caused to the child by its disclosure must be taken into account, especially when storing the health data of underage children. Health data must be stored so that third parties cannot access it. The data may only be disclosed to those who need it.

If you are processing children's health data as an instructor or coach, you can ask the club for instructions on their processing.

More information on the processing of health data is available on the following article published on the Data protection in hobbies -website: [Processing children's health data in hobby activities | Data protection in hobbies](https://tietosuojaharrastuksissa.fi/en/processing-childrens-health-data-in-hobby-activities/).⁴

⁴ <https://tietosuojaharrastuksissa.fi/en/processing-childrens-health-data-in-hobby-activities/>

What rights do children have regarding the processing of personal data in hobbies?



Everyone has the right to the protection of their personal data. People taking part in hobbies have the right to obtain transparent information on the processing of their personal data. They also have the right to access their personal data, that is, obtain a copy of their personal data being stored or otherwise processed by the club. In addition, they have the right to have inaccurate personal data concerning themselves rectified and to have unnecessary data erased.

As a controller, the hobby club must ensure that the data protection rights of its members are fulfilled. Those participating in the hobby must be informed of how they can exercise their data protection rights. For example, the contact details of the club or the person responsible for fulfilling data subjects' requests must be easily available. As an instructor or coach, you should be able to guide the children or their parents in exercising their data protection rights when necessary.

Fulfilling the rights of the data subject is described in more detail in the Guide for the board of the association on the Data protection in hobbies -website: [Guide for the board of the association | Data protection in hobbies](https://tietosuojaharrastuksissa.fi/en/board-of-the-association/starting-page-ab/Data-protection-in-hobbies).⁵

⁵ <https://tietosuojaharrastuksissa.fi/en/board-of-the-association/starting-page-ab/>

Can I publish photos or video of people on my social media accounts?

As a rule, personal data concerning other people, such as photographs and video, may be processed for personal use.

- Perhaps you are also participating in the club's activities yourself in addition to working as an instructor. For example, if you record a video of yourself and your friends in training where you are not working as a coach and want to publish the video on your social media accounts, this is generally permitted.

However, if the club or association publishes photos or video of its members on its social media channels or website, this no longer constitutes processing for personal use. Publishing photos or video of other participants on your social media account in the capacity of a coach or instructor can also be problematic.

In principle, a person publishing photographs or video material on a social media platform should be treated as a controller subject to the resulting obligations, provided that the material is not published for personal use. Since it constitutes processing of personal data, publishing photos and video requires a processing basis under the GDPR.

If an association serving as a controller publishes photos of participants on a social media platform, the people in the photos can request that they be taken down. If a participant complains about the publication of their personal data to the Data Protection Ombudsman, the Data Protection Ombudsman can order the controller to remove the photos or video from the net.

If the publication of the photos has caused damage, the person who suffered the damage can claim compensation from the association or person who published the photos. This could result in a District Court hearing. If the publication of the photos is deemed criminal, for example if a photo meets the statutory definition of defamation, the police will investigate the matter.

When can I disclose participants' data?

Things like providing a child's information to their parent, disclosing a child's contact details for the club's or association's marketing, or sending competition results to a website can all count as disclosing personal data.

The data subject, in this case the child participating in the hobby or their parent, must be informed of the disclosure of their personal data. As a rule, the data subject must be informed of the disclosure of their data already when they provide their personal data to the hobby organiser.

- For example, if the hobby organiser regularly discloses children's personal data to a website publishing competition results, the child should be informed of this as soon as they start the hobby.

Personal data may not be disclosed to just anyone. In general, you cannot disclose a child's personal data to other children in the same team, their parents, or outsiders.

If someone asks you for a child's personal data and you are not sure what to do, contact the club's administration or another adult involved in the hobby, such as a coach. The adults running the association always have the primary responsibility for the processing of personal data.

Can I disclose information about a child to their parents?

As a rule, a child's custodians have the right to represent their child and act on the child's behalf. A child's parents or other people entrusted with the child's care are the child's custodians.

However, every child has an independent right to the protection of their personal data. Even though a child's parent frequently manages the child's affairs related to the hobby, the child has an independent right to decide on the processing of their personal data.

As a coach, for example, you could be faced with a situation in which one of a child's parents requests some of the child's personal data and wants to know whether the child is going to the hobby. This is the first time you have been contacted by this parent, and you notice that their contact details are not stored in the club's register. What should you do?

- The child's level of development should be taken into account when evaluating the child's ability to decide on the processing of their personal data. For example, a child of 7 may not be able to make independent decisions on the processing of their personal data. On the other hand, a 15-year-old could be very capable of managing their own affairs.
- A good rule of thumb is that the older the child, the more likely they are to be able to make decisions regarding the processing of their personal data. For example, if a 15-year-old child prohibits the club from disclosing their contact details to a parent or telling the parent that the child goes to the hobby, disclosing that information to the parent may not be justified.
- **If someone asks you for information about a child and you are not sure what to do, contact the club's administration or another adult working at the club, such as a coach. The adults running the association always have the primary responsibility for the processing of personal data.**

You can get more information on the rules for disclosing a child's data from the following example case on the Data protection in hobbies -website: [Data protection is a fundamental right for minors | Data protection in hobbies](https://tietosuojaharrastuksissa.fi/en/data-protection-is-a-fundamental-right-for-minors-what-does-it-mean/).⁶

⁶ <https://tietosuojaharrastuksissa.fi/en/data-protection-is-a-fundamental-right-for-minors-what-does-it-mean/>