

## GDPR & Data Processing for Fitness Clubs

In this article we describe what it means for fitness clubs to process health data with consent under GDPR.

For many companies business growth is a main goal. In this era, one of the core elements for realizing growth is data. For example, for commercial sport centers. Large chains of fitness centers use a data strategy in order to realize performance improvement. Of course this data needs to be processed within the boundaries of GDPR if it is personal data. Fitness centers use a personal data from their members from a type that is called special data categories. In this example, your heart rate, physical weight and number of times you visit the gym. For this type of personal data processing explicit consent is required from data subjects (Article 9(2) and Recital 51 of GDPR).

For several types of personal data processing, GDPR requires consent from data subjects (the owners of the personal data). Data processing activities for which consent is mandatory include (amongst other things):

- ✓ Direct e-mail marketing
- ✓ Data transfers to third parties including for PSD II
- ✓ Profiling
- ✓ Maintaining an HR candidates database
- ✓ Processing of special categories of data, including health data

Members of a sports club may know the spinning class where an app measures your performance and projects it to the entire group, that can follow your RPM (Rounds Per Minute). A very nice way of competition, it makes you kick harder because you do not want to stay behind. Data around your physical condition, like weight and heart rate could also be measured by the fitness centers. Companies are obliged to take strict protection measures due to the high privacy risks of this personal data.

Those companies, that process that data, with consent of their members, could gain from competitive advantages compared to those organizations that don't process this data. Companies that use the personal data, need to do that within the boundaries of GDPR, with sufficient protection measures, Privacy by default.

OptInsight helps companies with a solution that organizes customer data processing and the required permissions within the boundaries of privacy regulations (GDPR & ePrivacy). Privacy by design. By using data as an opportunity, companies could gain from a competitive advantage, if done properly. Interested what it can mean for your company? We are happy to talk to you about it.

Do you want to know more about enabling your data strategy within the boundaries of GDPR.

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