

# Denbighshire Leisure Limited

## Privacy Policy (Customers & Clients)

### Current Version

Approved By	Version	Date Approved	Policy Owner	Next Review Date
DLL Finance & Governance Sub-Committee	V0.1	-	Andy Moreland (Company Secretary)	-

Version Control

Approved By	Date Approved	Version	Amendments in Subsequent Version
DLL Finance & Governance Sub-Committee	TBC	V0.1	Draft document accepted without amendment.

## Contents

Section	Item	Page
1	Introduction	4
2	Key Terms	5
3	What Data We Collect	6
4	How Your Personal Data Is Collected	7
5	How & Why We Use Your Personal Data	8-11
6	Marketing	12
7	Who We Share Your Personal Data With	13-14
8	Where Your Personal Data Is Held	15-16
9	Your Rights	17-18
10	Keeping Your Personal Data Secure	19
11	How To Contact Us / Complain	20
12	Changes To This Privacy Policy	21

## 1. Introduction

- 1.1** Here at Denbighshire Leisure we take your privacy very seriously. As a customer it is advised you read this Privacy Policy carefully as it contains important information on who we are and how and why we collect, store, use and share your personal data. It also explains your rights in relation to your personal data and how to contact us or supervisory authorities in the event you have a complaint.
- 1.2** We collect, use and are responsible for certain personal data about you. You will have provided this information to us in a number of different forms, either from joining and becoming a member of one of our leisure facilities or by taking up one of the many activities that the Company offers. In addition to this we also operate and use CCTV within specific areas of our premises and around the perimeters and car parks connected to our properties.
- 1.3** When we collect your data we are subject to the UK General Data Protection Regulation (UK GDPR). We are also subject to the EU General Data Protection Regulation (EU GDPR) in relation to goods and services that we offer to individuals and our wider operations in the European Economic Area (EEA).

## 2. Key Terms

2.1 It would be helpful to start by explaining some key terms used in this policy:

<b>We, us, our, the Company:</b>	Denbighshire Leisure Limited Registered Company Number: 121785578
<b>Our Data Protection Officer:</b>	Andy Moreland – Head of Governance & Business Support E-mail: <a href="mailto:dataprotection@denbighshireleisure.co.uk">dataprotection@denbighshireleisure.co.uk</a>
<b>Personal Data:</b>	Any information relating to an identified or identifiable individual
<b>Special category personal data:</b>	Personal data revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs or trade union membership Genetic and biometric data (when processed to uniquely identify an individual). Data concerning health, sex life or sexual orientation.
<b>Data Subject:</b>	The individual who the personal data relates to

### 3. What Data Do We Collect

**3.1** As part of our operations, we may collect and use the following personal data about you:

- your name and contact information, including e-mail address and telephone number, address, and company or occupational details
- information to check and verify your identity, e.g. your date of birth
- your gender, if you choose to give this to us
- location data, if you choose to give this to us
- your billing information, transaction and payment card information
- your personal or professional interests
- your professional online presence, e.g. LinkedIn profile
- your contact history, purchase history and saved items
- information from accounts you link to us on, e.g. Facebook, Instagram or Twitter amongst other social networking sites
- information to enable us to undertake credit or other financial checks on you
- Information about how you use our website, IT, communication and other systems
- your responses to surveys, competitions and promotions
- CCTV
- Your health and medical information as appropriate for the services being utilised; and
- Where required to implement Government and Public Health Track and Trace systems.

**3.2** We collect and use this personal data to provide products and or services to you. If you do not provide personal data we ask for, it may delay or prevent us from providing the products and or services to you.

## 4. How Your Personal Data Is Collected

**4.1** We collect most of this personal data directly from you—in person, by telephone, text or email and/or via our website, online apps and IT connectivity linked to the use of our leisure facilities.

**4.2** However, we may also collect information:

- from publicly accessible sources, e.g. Companies House or HM Land Registry;
- directly from a third party, e.g.:
  - sanctions screening providers;
  - credit reference agencies;
  - customer due diligence providers;
- from a third party with your consent, e.g. your GP or other Health Care Provider, your bank or building society
- from cookies on our website—for more information on our use of cookies, [please click here](#)
- via our IT systems, e.g.:
  - from online joining and booking platforms
  - from door entry systems and reception logs;
  - through automated monitoring of our websites and other technical systems, such as our computer networks and connections, CCTV and access control systems, communications systems, email and instant messaging systems;

**Commented [AM1]:** The draft Cookie Policy document that I've attached will need to be hyperlinked here – on a separate webpage rather than as a document

## 5. How & Why We Use Your Personal Data

5.1 Under data protection law, we can only use your personal data if we have a proper reason, e.g.:

- where you have given consent;
- to comply with our legal and regulatory obligations;
- for the performance of a contract with you or to take steps at your request before entering into a contract; or
- for our legitimate interests or those of a third party.

5.2 A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests. We will carry out an assessment when relying on legitimate interests, to balance our interests against your own.

5.3 The table below explains what we use your personal data for and why:

What we use your personal data for	Our reasons
<i>Providing products and or services to you</i>	To perform our contract with you or to take steps at your request before entering into a contract
<i>Preventing and detecting fraud against you or us as appropriate</i>	For our legitimate interests or those of a third party, i.e. to minimise fraud that could be damaging for you and/or us



What we use your personal data for	Our reasons
<p><i>Conducting checks to identify our customers and verify their identity</i></p> <p><i>Screening for financial and other sanctions or embargoes</i></p> <p><i>Other activities necessary to comply with professional, legal and regulatory obligations that apply to our business, eg under health and safety law or rules issued by our professional regulator</i></p>	<p>To comply with our legal and regulatory obligations</p>
<p><i>Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies</i></p>	<p>To comply with our legal and regulatory obligations</p>
<p><i>Ensuring business policies are adhered to, e.g. policies covering security and internet use</i></p>	<p>For our legitimate interests or those of a third party, i.e. to make sure we are following our own internal procedures so we can deliver the best service to you</p>
<p><i>Operational reasons, such as improving efficiency, training and quality control</i></p>	<p>For our legitimate interests or those of a third party, i.e. to be as efficient as we can so we can deliver the best service to you at the best price</p>
<p><i>Ensuring the confidentiality of commercially sensitive information</i></p>	<p>For our legitimate interests or those of a third party, i.e. to protect trade secrets and other commercially valuable information</p> <p>To comply with our legal and regulatory obligations</p>

What we use your personal data for	Our reasons
<i>Statistical analysis to help us manage our business, e.g. in relation to our financial performance, customer base, product range or other efficiency measures</i>	For our legitimate interests or those of a third party, i.e. to be as efficient as we can so we can deliver the best service to you at the best price
<i>Preventing unauthorised access and modifications to systems</i>	For our legitimate interests or those of a third party, i.e. to prevent and detect criminal activity that could be damaging for you and/or us To comply with our legal and regulatory obligations
<i>Updating customer records</i>	To perform our contract with you or to take steps at your request before entering into a contract To comply with our legal and regulatory obligations For our legitimate interests or those of a third party, e.g. making sure that we can keep in touch with our customers about existing orders and new products
<i>Statutory returns</i>	To comply with our legal and regulatory obligations
<i>Ensuring safe working practices, staff administration and assessments</i>	To comply with our legal and regulatory obligations For our legitimate interests or those of a third party, e.g. to make sure we are following our own internal procedures and working efficiently so we can deliver the best service to you

What we use your personal data for	Our reasons
<p><i>Marketing our services and those of selected third parties to:</i></p> <ul style="list-style-type: none"> <li>– <i>existing and former customers;</i></li> <li>– <i>third parties who have previously expressed an interest in our services;</i></li> <li>– <i>third parties with whom we have had no previous dealings.</i></li> </ul>	<p>For our legitimate interests or those of a third party, i.e. to promote our business to existing and former customers</p>
<p><i>Credit reference checks via external credit reference agencies</i></p>	<p>For our legitimate interests or those of a third party, i.e. to ensure our customers are likely to be able to pay for our products and services</p>
<p><i>External audits and quality checks, e.g. Investors in People accreditation and the audit of our accounts</i></p>	<p>For our legitimate interests or a those of a third party, i.e. to maintain our accreditations so we can demonstrate we operate at the highest standards To comply with our legal and regulatory obligations</p>

5.4 Where we process special category personal data, we will also ensure we are permitted to do so under data protection laws, e.g.:

- we have your explicit consent;
- the processing is necessary to protect your (or someone else's) vital interests where you are physically or legally incapable of giving consent; or
- the processing is necessary to establish, exercise or defend legal claims.

## 6. Marketing

- 6.1** We may use your personal data to send you updates (by email, text message, telephone or post) about our products and or services, including exclusive offers, promotions or new products and or services or to inform you of changes to products and services being offered.
- 6.2** We have a legitimate interest in using your personal data for marketing purposes (see above '**How and why we use your personal data**'). This means we do not usually need your consent to send you marketing information. However, where consent is needed, we will ask for this separately and clearly.
- 6.3** You have the right to opt out of receiving marketing communications at any time by:
- contacting us at [dataprotection@denbighshireleisure.co.uk](mailto:dataprotection@denbighshireleisure.co.uk);
  - using the 'unsubscribe' link in emails or 'STOP' number in texts; or
  - updating your marketing preferences.
- 6.4** We may ask you to confirm or update your marketing preferences if you ask us to provide further products and or services in the future, or if there are changes in the law, regulation, or the structure of our business.
- 6.5** We will always treat your personal data with the utmost respect and never sell or share it with other organisations outside of performing the Company duties, unless we have your specific consent.

## 7. Who We Share Your Personal Data With

### 7.1 We routinely share personal data with:

- departments within the Company
- third parties we use to help deliver our products and or services to you, e.g. payment service providers, system providers, warehouses and delivery companies;
- other third parties we use to help us run our business, e.g. marketing agencies or website hosts;
- third parties approved by you, e.g. social media sites you choose to link your account to or third party payment providers;
- credit reference agencies;
- our insurers and brokers;
- our bank[s];
- and if requested by virtue of a court order to the police,
- and if appropriate to other emergency providers such as Ambulance, Hospital, Fire Services as necessary in an emergency scenario.

### 7.2 We only allow our service providers to handle your personal data if we are satisfied they take appropriate measures to protect your personal data. We also impose contractual obligations on service providers to ensure they can only use your personal data to provide services to us and to you.

### 7.3 We may also need to:

- share personal data with external auditors, e.g. in relation to Investors in People accreditation and the audit of our accounts;
- disclose and exchange information with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations;
- share some personal data with other parties, such as potential buyers of some or all of our business or during a restructuring—usually, information will be anonymised but this may not always be possible, however, the recipient of the information will be bound by confidentiality obligations.

### 7.4 If you would like more information about who we share our data with and why, please contact us (see 'How to contact us' below).



- 7.5 With the exception of those noted above, we will not share your personal data with any other third party.

## 8. Where & How Long Your Personal Data Is Held

- 8.1** We will keep your personal data while you have an account with us or we are providing products and or services to you. Thereafter, we will keep your personal data for as long as is necessary:
- to respond to any questions, complaints or claims made by you or on your behalf;
  - to show that we treated you fairly;
  - to keep records required by law.
- 8.2** For a list of how long we keep your data for across our range of services, [please click here](#). We will not keep your personal data for longer than necessary. Different retention periods apply for different types of services we provide.
- 8.3** When it is no longer necessary to keep your personal data, we will delete or anonymise it where it is not possible for files to be deleted.
- 8.4** Personal data may be held at our offices and those of our group companies, third party agencies, service providers, representatives and agents as described above (see above: 'Who we share your personal data with').
- 8.5** Some of these third parties may be based outside the UK/EEA. These third parties are used to deliver our services to you. Under data protection law, we can only transfer your personal data to a country or international organisation outside the UK/EEA where:
- the UK government or, where the EU GDPR applies, the European Commission, has decided the particular country or international organisation ensures an adequate level of protection of personal data (known as an 'adequacy decision');
  - there are appropriate safeguards in place, together with enforceable rights and effective legal remedies for data subjects (e.g. Standard Contractual Clauses); or
  - a specific exception applies under data protection law
- 8.6** These are explained in the table below:

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<b>Adequacy Decision:</b>	<p>We may transfer your personal data to certain countries, on the basis of an adequacy decision. These include:</p> <ul style="list-style-type: none"> <li>• all European Union countries, plus Iceland, Liechtenstein and Norway (collectively known as the 'EEA');</li> <li>• Gibraltar; and</li> <li>• Andorra, Argentina, Canada, Faroe Islands, Guernsey, Israel, Isle of Man, Japan, Jersey, New Zealand, Switzerland and Uruguay.</li> </ul>
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	<p>The list of countries that benefit from adequacy decisions will change from time to time. We will always seek to rely on an adequacy decision, where one exists.</p> <p>Other countries or international organisations we are likely to transfer personal data to do not have the benefit of an adequacy decision. This does not necessarily mean they provide poor protection for personal data, but we must look at alternative grounds for transferring the personal data, such as ensuring appropriate safeguards are in place or relying on an exception, as explained below.</p>
<b>Transferring with Appropriate Safeguards:</b>	<p>Where there is no adequacy decision, we may transfer your personal data to another country or international organisation if we are satisfied the transfer complies with data protection law, appropriate safeguards are in place, and enforceable rights and effective legal remedies are available for data subjects.</p> <p>The safeguards will usually include using legally-approved standard data protection contractual clauses.</p> <p>To obtain a copy of the standard data protection contract clauses and further information about relevant safeguards, including our binding corporate rules, please contact us (see '<b>How to contact us</b>' below).</p>
<b>Transfers Under Exception:</b>	<p>In the absence of an adequacy decision or appropriate safeguards, we may transfer personal data to a third country or international organisation where an exception applies under relevant data protection law, e.g.:</p> <ul style="list-style-type: none"> <li>• you have explicitly consented to the proposed transfer after having been informed of the possible risks;</li> <li>• the transfer is necessary for the performance of a contract between us or to take pre-contract measures at your request;</li> <li>• the transfer is necessary for a contract in your interests, between us and another person; or</li> <li>• the transfer is necessary to establish, exercise or defend legal claims</li> </ul> <p>We may also transfer information for the purpose of our compelling legitimate interests, so long as those interests are not overridden by your interests, rights and freedoms. Specific conditions apply to such transfers and we will provide relevant information if and when we seek to transfer your personal data on this ground.</p>
<b>Special category personal data:</b>	<p>Personal data revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs or trade union membership</p> <p>Genetic and biometric data (when processed to uniquely identify an individual). Data concerning health, sex life or sexual orientation.</p>
<b>Data Subject:</b>	<p>The individual who the personal data relates to</p>



- 8.7 If you would like further information about data transferred outside the UK/EEA, please contact our Data Protection Officer (see '**How To Contact Us**' below).

## 9. Your Rights

9.1 You have the following rights, which you can exercise free of charge:

<b>Access:</b>	The right to be provided with a copy of your personal data.
<b>Rectification:</b>	The right to require us to correct any mistakes in your personal data.
<b>Erasure (also known as the right to be forgotten):</b>	The right to require us to delete your personal data—in certain situations.
<b>Restriction of processing:</b>	The right to require us to restrict processing of your personal data in certain circumstances, e.g. if you contest the accuracy of the data.
<b>Data portability:</b>	The right to receive the personal data you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party—in certain situations.
<b>To object:</b>	The right to object: <ul style="list-style-type: none"> <li>• at any time to your personal data being processed for direct marketing (including profiling);</li> <li>• in certain other situations to our continued processing of your personal data, e.g. processing carried out for the purpose of our legitimate interests.</li> </ul>
<b>Not to be subject to automated individual decision making:</b>	We don't automated decisions about you, however if we are ever required to do so you have the right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you.

9.2 For further information on each of those rights, including the circumstances in which they apply, please contact us (see 'How to contact us' below) or see the [Guidance from the UK Information Commissioner's Office \(ICO\) on individuals' rights](#).

9.3 If you would like to exercise any of those rights, please:

- complete a data subject request form—[available here](#)

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- email, call or write to us—see below: ‘How to contact us’; and
- provide enough information to identify yourself (e.g. your full name, address and customer or matter reference number) and any additional identity information we may reasonably request from you;
- let us know what right you want to exercise and the information to which your request relates.

## 10. Keeping Your Personal Data Secure

- 10.1** We have appropriate security measures to prevent personal data from being accidentally lost, or used or accessed unlawfully. We limit access to your personal data to those who have a genuine business need to access it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality. We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.
- 10.2** If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit [www.getsafeonline.org](http://www.getsafeonline.org). Get Safe Online is supported by HM Government and leading businesses.

## 11. How To Contact Us / Complain

**11.1** You can contact us and/or our Data Protection Officer by post, email or telephone if you have any questions, queries or concerns about this privacy policy or the information we hold about you, to exercise a right under data protection law or to make a complaint.

**11.2** Our contact details are shown below:

Our contact details	Our Data Protection Officer's contact details
<b>Post:</b> Denbighshire Leisure Limited, 8-11 Trem-y-Dyffryn, Denbigh, LL16 5TX	<b>Post:</b> Data Protection Officer, Denbighshire Leisure Limited, 8-11 Trem-y-Dyffryn, Denbigh, LL16 5TX
<b>E-mail:</b> leisure@denbighshireleisure.co.uk	<b>E-mail:</b> dataprotection@denbighshireleisure.co.uk
<b>Phone:</b> 01824 712700	<b>Phone:</b> 01824 706724

**11.3** As well as contacting us direct, you also have the right to lodge a complaint with the Information Commissioner or any relevant European data protection supervisory authority. The Information Commissioner may be contacted at:

<https://ico.org.uk/make-a-complaint> or telephone: 0303 123 1113.

## 12. Changes To This Privacy Policy

- 12.1** From time to time this privacy policy will be updated. When we do we will inform you via our website, social media, or e-mail if we have access to an e-mail address for you.