

## PRIVACY POLICY

This Privacy Policy (Policy) is provided in a layered format. You can therefore click through to the specific areas set out below. Alternatively, you can download a pdf version of the Policy here. Please also use the Glossary to understand the meaning of some of the terms used in this Policy.

1. **THE DATA WE COLLECT ABOUT YOU**
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### INTRODUCTION

We value you as a customer and we will always strive to deliver excellent services and experiences throughout the hotel. We recognise that your privacy is an important issue and we are committed to protecting your personal data.

We have prepared this Policy in order to provide you with information in respect of how we collect and process your personal data whenever you visit our website, communicate with us, visit our premises, make an enquiry with us, sign up to a any newsletter or marketing, make a booking or use any of our services.

Please note our website is hosted by a third party, however safeguarding your personal data is a priority to us. Website usage information is collected using cookies, for more information please visit our website and click on our Cookies Policy.

By using any of our products and/or services, e.g. by making a booking or joining our gym, you acknowledge and confirm your understanding that we will collect and use your personal information as described in this Policy.

Personal data is defined as information concerning any living person that is not already in the public domain. Please note that we do not knowingly collect personal data relating to children. As a parent or guardian please ensure that your children do not submit personal information without your permission.

It is important that you read this Policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This Policy supplements other notices and privacy policies and is not intended to override them. We keep our Policy under regular review and it will be updated from time to time.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

### CONTROLLER AND COMPLIANCE DIRECTOR

Allen Hotels Limited, trading as The Red Lea Hotel (**we, us, our**) is the data controller and responsible for your personal data. We will take reasonable steps to ensure that your personal data is handled in in line with this Policy and in accordance with our legal obligations in respect of international data transfer (if appropriate).

We have appointed a data compliance director (currently Nick Allen) to oversee compliance with this Policy. If you have any questions about this Policy or how we handle your personal information, please contact the compliance director as follows:

- By email: [nick@redleahotel.co.uk](mailto:nick@redleahotel.co.uk)

- By post: Red Lea Hotel, Prince of Wales Terrace, Scarborough, YO11 2AJ
- By telephone: 01723 362431

Please be aware that you have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). However, we would appreciate the chance to deal with your concerns before you approach the ICO and we would be grateful if you could contact the compliance director in the first instance.

### THIRD-PARTY LINKS

Our website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

### THE DATA WE COLLECT ABOUT YOU

Personal data, or personal information, means any information about a living individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

Your personal data will be used by us in order to provide you with any services which you require and communicate with you generally. Please note that we may contact you by telephone, email or post in order to obtain general feedback in respect of our services.

We may collect, use, store and transfer different kinds of personal data about you when you contact us, make a booking, make an enquiry, book a function, join our gym, subscribe to marketing etc. The information which we may collect has been grouped together as follows:

- 1- **Identity Data** includes first name, maiden name, last name, marital status, title, date of birth, gender or other ID.
- 2- **Contact Data** includes billing address, delivery address, email address, telephone numbers, emergency contact details, GP information, information relating to your reservation, stay or visit.
- 3- **Financial Data** includes bank account and payment card details.
- 4- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
- 5- **Website & Internet Data** when you visit [redleahotel.co.uk](http://redleahotel.co.uk), we use a third-party service, Google Analytics, to collect standard internet log information and details of visitor behaviour patterns. We do this to find out such things as the number of visitors to the various parts of the site. This information is only processed in a way that does not identify anyone. We do not make, and do not allow Google to make, any attempt to find out the identities of those visiting our website. If we do collect personal data through our website, we will be upfront about this. We will make it clear when we collect personal information and we will explain what we intend to do with it.
- 6- **Profile Data** includes bookings made by you, your interests, preferences, feedback, etc.
- 7- **Usage Data** includes information about how you use our website, products and services.
- 8- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We may also collect, store and use the following more sensitive types of personal information (**Sensitive Data**) such as information about your health, including any medical condition (for instance when you subscribe for a gym membership with us). We may also use health data provided by you to serve you better and meet your particular needs (for example, the provision of disability access).

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity.

For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature.

With the exception of Sensitive Data (as set out above), we do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

### **IF YOU FAIL TO PROVIDE PERSONAL DATA**

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to complete a booking or process a gym membership). In this case, we may have to cancel the products/services offered, however we will notify you if this is the case at the time.

### **HOW YOUR PERSONAL DATA IS COLLECTED**

We use different methods to collect data from, and about you, including through:

- 1- **Direct interactions.** You may give us your Identity, Sensitive, Contact and Financial Data by filling in forms such as website forms and registration forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- make an enquiry with us;
- submit your contact details on our website;
- make a booking or reservation with us;
- subscribe to our gym membership;
- subscribe to one of our newsletters or publications;
- request marketing to be sent to you;
- enter a competition, promotion; or
- give us feedback or contact us.

Please note that the website does not automatically collect any data from a user. The data that is captured is done so via website forms - the Form Process is described below.

Google Analytics does automatically collect data from the user - see Google Analytics Tracking Overview - this data is a anonymised.

#### Form Process

When a user submits a form on the website (for example the contact form or newsletter form) the following workflow is performed:

User completes and submits the form.

Upon successful submission, the website stores all the data submitted as well as the user IP address and the date/time of the submission. If the user is logged in then it will also collect their user name, user ID and language code (this is not applicable to most websites).

The business owner receives an email with all of the data submitted.

The user receives an email giving them three main options:

Do nothing - Data is retained by the website for 30 days (configurable) before being automatically deleted.

Delete submission - The user can follow a link in the email which will remove their submitted data from the website.

Subscribe - The user can follow a link in the email and their data will be stored separately in the database in the mailing list. The original submission data is retained by the website for 30 days before being automatically deleted.

If the user has subscribed to the website mailing list; they can always manage their subscriptions and delete their data by following the link on the website.

- 2- **Automated technologies or interactions.** As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies.
- 3- **Third parties or publicly available sources.** We will receive personal data about you from various third parties and public sources as set out below:
  - Technical Data from the following parties:
    - o analytics providers such as Google based outside the EU;
    - o advertising networks such as AdWords based inside the EU; and
    - o search information providers.
  - Contact, Financial and Transaction Data from providers of technical, payment and delivery services such as Global Payments based inside the EU.
  - Identity and Contact Data from data brokers or aggregators such as Booking.com, Expedia, Trip Advisor, etc.
  - Identity and Contact Data from publicly available sources such as Companies House and the Electoral Register based inside the EU.

## HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to, this includes, providing quotes, making bookings, contacting you, etc. Most commonly, we will use your personal data in the following circumstances:

- 1- Where we need to perform the contract we are about to enter into or have entered into with you.
- 2- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- 3- Where we need to comply with a legal obligation.

[Click here](#) to find out more about the types of lawful basis that we will rely on to process your personal data.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct marketing communications to you via email or text message.

Please note that we will rely on consent for lawful processing purposes when you sign up to receiving marketing information from us in any way. You can withdraw your consent at any time by clicking the unsubscribe button which is included in every marketing email.

You can also withdraw your consent to receive marketing information at any time by updating your subscription preferences [here](#).

## PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal

ground we are relying on to process your personal data where more than one ground has been set out in the table below.

PURPOSE/ACTIVITY	TYPE OF DATA	LAWFUL BASIS FOR PROCESSING INCLUDING BASIS OF LEGITIMATE INTEREST
To register your enquiry or to register you as a new customer	<ul style="list-style-type: none"> <li>a) Identity</li> <li>b) Contact</li> <li>c) Sensitive</li> </ul>	Performance of a contract with you
To process your booking and or provide our services including: <ul style="list-style-type: none"> <li>a) Manage payments, fees and charges</li> <li>b) Collect and recover money owed to us</li> </ul>	<ul style="list-style-type: none"> <li>c) Identity</li> <li>d) Contact</li> <li>e) Financial</li> <li>f) Transaction</li> <li>g) Marketing &amp; Communications</li> </ul>	<ul style="list-style-type: none"> <li>a) Performance of a contract with you</li> <li>b) Necessary for our legitimate interests (to recover debts due to us)</li> </ul>
To manage our relationship with you which will include: <ul style="list-style-type: none"> <li>a) Notifying you about changes to our terms or privacy policy</li> <li>b) Asking you to leave a review or take a survey</li> </ul>	<ul style="list-style-type: none"> <li>a) Identity</li> <li>b) Contact</li> <li>c) Profile</li> <li>d) Marketing &amp; Communications</li> </ul>	<ul style="list-style-type: none"> <li>a) Performance of a contract with you</li> <li>b) Necessary to comply with a legal obligation</li> <li>c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)</li> </ul>
To enable you to partake in a prize draw, competition or complete a survey	<ul style="list-style-type: none"> <li>a) Identity</li> <li>b) Contact</li> <li>c) Profile</li> <li>d) Usage</li> <li>e) Marketing &amp; Communications</li> </ul>	<ul style="list-style-type: none"> <li>a) Performance of a contract with you</li> <li>b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and improve our business)</li> </ul>
To administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	<ul style="list-style-type: none"> <li>a) Identity</li> <li>b) Contact</li> <li>c) Technical</li> </ul>	<ul style="list-style-type: none"> <li>a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)</li> <li>b) Necessary to comply with a legal obligation</li> </ul>
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	<ul style="list-style-type: none"> <li>a) Identity</li> <li>b) Contact</li> <li>c) Profile</li> </ul>	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to improve our

	<ul style="list-style-type: none"> <li>d) Usage</li> <li>e) Marketing &amp; Communications</li> <li>f) Technical</li> </ul>	business and to inform our marketing strategy)
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	<ul style="list-style-type: none"> <li>a) Technical</li> <li>b) Usage</li> </ul>	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about offers and/or services that may be of interest to you	<ul style="list-style-type: none"> <li>a) Identity</li> <li>b) Contact</li> <li>c) Technical</li> <li>d) Usage</li> <li>e) Profile</li> <li>f) Marketing and Communications</li> </ul>	Necessary for our legitimate interests (to develop our products/services and improve our business)

## MARKETING

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

### Promotional offers from us

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or used any of our products and/or services and you have not opted out of receiving that marketing.

### Third-party marketing

We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

### Opting out

You can ask us or third parties to stop sending you marketing messages at any time by contacting us or clicking the unsubscribe link which is included in every marketing email which is sent to you at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of enquiries, bookings, gym subscriptions and/or any other services provided by us.

## COOKIES

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of our website may become inaccessible or not function properly. For more information about the cookies we use, please see our Cookies Policy.

## **CHANGE OF PURPOSE**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **DISCLOSURES OF YOUR PERSONAL DATA**

We may share your personal data with the parties set out below for the purposes set out in the table above:

- 1- External Third Parties as set out in the *Glossary*; and/or
- 2- Specific third parties listed in the table above.

Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this Policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

### International transfers

We do not transfer your personal data outside the European Economic Area (EEA).

## **DATA SECURITY**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## **DATA STORAGE**

We store your data in the United Kingdom as follows:

- Hard copy records at our premises;
- On our internal computer systems;
- Online or externally with an external software provider, emails or shared drives like OneDrive or Dropbox.
- 
- Please note we do not store personal data outside the EEA.

## **DATA RETENTION**

### How long will you use my personal data for?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting

requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

We retain personal information collected in order to fulfil your booking and/or gym membership (including Contact, Identity, Sensitive, Financial and Transaction Data) for seven years after the booking and/or membership is completed or comes to an end.

In some circumstances you can ask us to delete your data: see *your legal rights* below for further information.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

## **YOUR LEGAL RIGHTS**

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please click on the links below to find out more about these rights:

- 1- *Request access to your personal data.*
- 2- *Request correction of your personal data.*
- 3- *Request erasure of your personal data.*
- 4- *Object to processing of your personal data.*
- 5- *Request restriction of processing your personal data.*
- 6- *Request transfer of your personal data.*
- 7- *Right to withdraw consent.*

If you wish to exercise any of the rights set out above, please contact us. We will require proof of ID before we release any information.

## **NO FEE USUALLY REQUIRED**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

## **WHAT WE MAY NEED FROM YOU**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

## **TIME LIMIT TO RESPOND**

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## **GLOSSARY**

- 1- **Lawful Basis**



**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal obligation** means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

## 2- **Third Parties**

External Third Parties means:

- Service providers acting as processors who provide IT and system administration services as well as internet-based booking providers.
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors, accountants, and insurers based in the United Kingdom who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.

## **YOUR LEGAL RIGHTS**

You have the right to:

- 1- **Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- 2- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- 3- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- 4- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

- 5- Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
- If you want us to establish the data's accuracy.
  - Where our use of the data is unlawful but you do not want us to erase it.
  - Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
  - You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- 6- Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- 7- Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.